



MESSAGES OF THE PRESIDENT
DIOSDADO MACAPAGAL
1961-1965

BOOK 9 | VOLUME 5
Administrative Orders



President Diosdado Macapagal, Ninth President of the Philippines
and Fifth President of the Third Republic.



MESSAGES OF THE PRESIDENT

DIOSDADO MACAPAGAL

1961-1965

BOOK 9 | VOLUME 5

Administrative Orders

Messages of the President Book 9: Diosdado Macapagal

Volume 5

Presidential Communications Development and Strategic Planning Office

<http://www.gov.ph>

<http://www.malacanang.gov.ph>

<http://www.pcdspo.gov.ph>

ISBN 978-621-8032-13-2

All rights reserved. The content of this publication may be copied, adapted, and redistributed, in whole in part, provided that the material is not used for commercial purposes and that proper attribution be made. No written permission from the publisher is necessary. Some of the images used in this publication may be protected by restrictions from their original copyright owners.

Published exclusively by

The Presidential Communications Development
and Strategic Planning Office

Office of the President of the Philippines

3/F New Executive Building,

Malacañan Palace, San Miguel, Manila

Tel.: 736-0719, 736-0718

Fax no.: 736-6167

Website: <http://www.pcdspo.gov.ph>

Book design by the Presidential Communications
Development and Strategic Planning Office

Published in the Philippines.

The National Library of the Philippines CIP Data

Recommended entry:

Philippines. President (Macapagal: 1961-1965)

Messages of the President: Diosdado Macapagal, 1961-1965,
Book 9, Volume 5, Administrative Orders / Presidential Communications
Development and Strategic Planning Office. – Manila: Presidential
Communications Development and Strategic Planning Office, 2016.
pages; cm

ISBN 978-621-8032-13-2

Contents: vol. 1. Official Week and Month in Review – vol. 2.
Appointments and Designations – vol. 3. Historical Documents and
Papers – vol. 4. Executive Orders – vol.5. Administrative Orders – vol. 6.
Proclamations – vol. 7. Other Issuances – vol. 8. Cabinet Minutes.

1. Macapagal, Diosdado., President – Philippines – 1961-1965.
2. Presidents – Messages – Philippines. 3. Philippines – Politics and
government – 1961-1965. I. Title.

The Messages of the President Book 9: Diosdado Macapagal Volume 5 was compiled and published by the Presidential Communications Development and Strategic Planning Office in May 2016 in Manila, Philippines.

THE REPUBLIC OF THE PHILIPPINES

BENIGNO S. AQUINO III
President of the Philippines

PAQUITO N. OCHOA, JR.
Executive Secretary

JOSE RENE D. ALMENDRAS
Cabinet Secretary

MARIANO DIMAANDAL
Director IV, Malacañang Records Office

PRESIDENTIAL COMMUNICATIONS DEVELOPMENT AND STRATEGIC PLANNING OFFICE

MANUEL L. QUEZON III
Undersecretary of Presidential Communications
Development and Strategic Planning

JAN MIKAEL dL. CO
Assistant Secretary
Senior Presidential Speechwriter and Head of Correspondence Office

JUAN POCHOLO MARTIN B. GOITIA
Assistant Secretary
Managing Editor, Official Gazette

GINO ALPHONSUS A. BAYOT
Director V
Head, Research Division

EDGAR RYAN S. FAUSTINO
Head, Presidential Museum and Library

JONATHAN F. CUEVAS
Director IV
Technical Division

MA. ROMMIN M. DIAZ
Director III
Head Executive Assistant

YOLANDO B. JAMENDANG JR.
Director II
Head, Message Crafting Division

TERESITA L. MENDIOLA
Chief Administrative Officer

KATHERINE AIRA M. ESPINO
Institutional Memory
Official Gazette

MARK PHILIPPE P. LEGASPI
Heritage

KRISTINA D. JAVIER
Media Monitoring

SASHA B. MARTINEZ
Social Media

RAYMOND ANDREW MAYMAY
Associate Editor
Official Gazette

ATTY. SARAH Q. SISON
Legal

CHRISTIAN F. SOQUEÑO
Citizen Engagement
Official Gazette

Messages of the President Book 9: Diosdado Macapagal
Volume 5

PUBLICATIONS DIVISION
Presidential Communications Development
and Strategic Planning Office

MANUEL L. QUEZON III
Editor in Chief

JUAN POCHOLO MARTIN B. GOITIA
Managing Editor

JONATHAN F. CUEVAS
Technical Director

KATHERINE AIRA M. ESPINO
Project Manager 2014-2016

MARY CLAIRE LORRAINE CAPUL
Project Manager 2016

MARK PHILIPPE P. LEGASPI
Head, Heritage Division

CAMILLE ROSE B. DUFOURT
Project Coordinator

GAMIL BANCOLITA
SCHURLYNS BIAN
MARY CLAIRE LORRAINE CAPUL
JERICO CATALLA
ANGELA KAYE CRESCINI
KRIS RICHARD GERONIMO
JUSTIN HAROLD HINGCO
PAOLA MELGAZO
ALFREDO NAVARRO III
Institutional Memory

KRIZIA ALMENARIO
NATHAN ANDRADA
JAMILLE DOMINGO
MA. KATRINA FERNANDO
GRACE GUIANG
MARIA ANNA GUMAPAC
MARIA THERESA LAMPA
JOHN RIMHER MANUBAY
FRANCES MARA MENDOZA
KARLO OROPESA
PATRICIA CARLA RAYMUNDO
Institutional Memory 2012-2015

JOSELITO ARCINAS
CHEREY ANN MAE BIGAY
COLINE ESTHER CARDEÑO
ROBERTO DANIEL DEVELA
FRANCIS KRISTOFFER PASSION
Researchers

LARISSA ANGELA SALAZAR
SARAH JESSICA WONG
Editors

JOI MARIE ANGELICA
INDIAS
Graphic Designer

MA. KRISTINA ABELLA
MA. ROMMIN DIAZ
LANCIE MITZI ONG
ALEXANDRIA SUPLIDO
ARMIL ORDIALES
JESSIE CRUZ
MICHAEL LOUIS BAUTISTA
Support Staff

INTRODUCTION

As the President's chief message-crafting body, the Presidential Communications Development and Strategic Planning Office (PCDSPO), is mandated to provide strategic communication leadership and support to the Executive Branch, its composite agencies, and instrumentalities of government.

The PCDSPO is also mandated to act as custodian of the institutional memory of the Office of the President. One of our projects is the continuation of the series of books called the Messages of the President, started in 1936 by Jorge B. Vargas, Executive Secretary to President Manuel L. Quezon. The series was a wide collection of executive issuances, speeches, messages, and other official papers of the President. The volumes were intended to serve as the definitive compilation of presidential documents. The series was continued until the Quirino administration, although the series for the Presidential administrations of Presidents Quezon, Roxas, and Quirino were never completed.

In 2010, President Benigno S. Aquino III ordered the revival of the series and the constitution of a complete set, covering all 15 presidential administrations. With pride, we continue what Vargas began.

We would like to extend our gratitude to our partners for without whose gracious cooperation, this project would have not been possible.

A note on organization: Each presidential administration's messages are in book form, compiled and subdivided into volumes. The books are as follows:

- Book 1: Emilio Aguinaldo
- Book 2: Jose P. Laurel
- Book 3: Manuel L. Quezon
- Book 4: Sergio Osmeña
- Book 5: Manuel Roxas
- Book 6: Elpidio Quirino
- Book 7: Ramon Magsaysay
- Book 8: Carlos P. Garcia
- Book 9: Diosdado Macapagal
- Book 10: Ferdinand E. Marcos
- Book 11: Corazon C. Aquino
- Book 12: Fidel V. Ramos
- Book 13: Joseph Ejercito Estrada
- Book 14: Gloria Macapagal-Arroyo
- Book 15: Benigno S. Aquino III

Each book is subdivided into the following volumes:

- Volume 1: Official Week/Month in Review
 - Volume 2: Appointments and Designations
 - Volume 3: Historical Papers and Documents
 - Volume 4: Executive Orders
 - Volume 5: Administrative Orders
 - Volume 6: Proclamations
-

Volume 7: Other issuances

Volume 8: Cabinet minutes

We hope that this collection will be a useful and vital reference for generations to come.

PREFACE

On July 30, 2010, President Benigno S. Aquino III issued Executive Order No. 4, which effectively renamed what was previously called the Malacañang Museum into the Presidential Museum and Library (PML) and placed it under the supervision and control of the Presidential Communications Development and Strategic Planning Office (PCDSPO). The PML is responsible for preserving, managing, and promoting the history and heritage of the Philippine presidency. It is the principal historical and artistic repository in support of the institution of the presidency, for the benefit of the Republic and the Filipino people. In partnership with the PCDSPO, which has pioneered the publication of the Official Gazette of the Republic of the Philippines as a web archive and information website, the PML has taken this mandate and placed it on the cutting edge of the information age.

Much has been done over the past years, under the administration of President Aquino III, to digitize executive issuances, speeches, letters, and other presidential papers; and publish them online. The project is not limited to a single administration, nor does it discriminate. This collection, published as databases, as well as print and e-publications, includes documents from the presidency of Emilio Aguinaldo to the current Aquino administration. This represents the government's allegiance to transparency, continuity, and the fostering of an informed citizenry, as well as an effort, in earnest, to preserve the institutional memory of the Presidency. All this was done not just for the posterity, but for the current generation and the ongoing task of nation building.

The PML are proud partners of the Official Gazette and PCDSPO team, to whom we made the collections available. We sincerely hope that this series will serve as a vital reference to educators, students, journalists, lawyers, historians, and the public at large.

FOREWORD

This is the fifth volume of President Diosdado Macapagal's official papers, which constitutes the ninth book of the Messages of the President series. The series was started in 1936 by Executive Secretary Jorge B. Vargas, during the first year in office of Manuel L. Quezon, the first President of the Commonwealth of the Philippines. This volume collects President Macapagal's Administrative Orders, which relate to particular aspects of governmental operations in pursuance of the President's duties as administrative head of the Executive Department.

BOOK 9

PRESIDENT DIOSDADO MACAPAGAL

President Diosdado Macapagal was the ninth President of the Philippines and was the fifth President of the Third Republic. He assumed office on December 30, 1961 after defeating Carlos P. Garcia in the 1961 Elections and was President until December 30, 1965.

The Executive Issuances of President Diosdado Macapagal began with Executive Order No. 1, signed on December 30, 1961 and ended with Executive Order No. 299; Administrative Order No. 188; and Proclamation No. 525 which were signed on December 29, 1965.

President Diosdado Macapagal's documents were gathered from its official sources such as the Official Gazette of the Philippines; Malacañang Records Office's Book of Executive Issuances; and the Fullness of Freedom: Speeches and Statements of President Diosdado Macapagal.

The American Psychological Association (APA) style was used for the citation. The titles that have been provided by the researchers are enclosed in square brackets, considering that the exact wordings and its order were not verbatim from the document being described. Book titles are italicized while the speech titles are not. If in any case that the book title is the same as the title of the speech, it is transcribed in italics because it is the book title.

CONTENTS

Introduction	9
Preface	11
Foreword	13
Research Notes	15
Administrative Orders	23
• Administrative Order Nos. 1 - 2	27
• Administrative Order Nos. 3 - 4	30
• Administrative Order Nos. 5 - 6	32
• Administrative Order Nos. 7 - 8	37
• Administrative Order Nos. 9 - 10	42
• Administrative Order Nos. 11 - 12	50
• Administrative Order Nos. 13 - 14	55
• Administrative Order Nos. 15 - 16	60
• Administrative Order Nos. 17 - 18	68
• Administrative Order Nos. 19 - 20	75
• Administrative Order Nos. 21 - 22	81
• Administrative Order Nos. 23 - 24	85
• Administrative Order Nos. 25 - 26	88
• Administrative Order Nos. 27 - 28	92
• Administrative Order Nos. 29 - 30	94
• Administrative Order Nos. 31 - 32	98
• Administrative Order Nos. 33 - 34	102
• Administrative Order Nos. 35 - 36	106
• Administrative Order Nos. 37 - 38	110
• Administrative Order Nos. 39 - 40	114
• Administrative Order Nos. 41 - 42	118
• Administrative Order Nos. 43 - 44	122
• Administrative Order Nos. 45 - 46	131
• Administrative Order Nos. 47 - 48	134
• Administrative Order Nos. 49 - 50	139
• Administrative Order Nos. 51 - 52	143
• Administrative Order Nos. 53 - 54	147
• Administrative Order Nos. 55 - 56	151
• Administrative Order Nos. 57 - 58	154
• Administrative Order Nos. 59 - 60	158
• Administrative Order Nos. 61 - 62	161
• Administrative Order Nos. 63 - 64	164
• Administrative Order Nos. 65 - 66	168
• Administrative Order Nos. 67 - 68	172
• Administrative Order Nos. 69 - 70	176
• Administrative Order Nos. 71 - 72	180

• Administrative Order Nos. 73 - 74	184
• Administrative Order Nos. 75 - 76	187
• Administrative Order Nos. 77 - 78	190
• Administrative Order Nos. 79 - 80	197
• Administrative Order Nos. 81 - 82	200
• Administrative Order Nos. 83 - 84	204
• Administrative Order Nos. 85 - 86	208
• Administrative Order Nos. 87 - 88	212
• Administrative Order Nos. 89 - 90	215
• Administrative Order Nos. 91 - 92	219
• Administrative Order Nos. 93 - 94	222
• Administrative Order Nos. 95 - 96	227
• Administrative Order Nos. 97 - 98	229
• Administrative Order Nos. 99 - 100	233
• Administrative Order Nos. 101 - 102	237
• Administrative Order Nos. 103 - 104	239
• Administrative Order Nos. 105 - 106	242
• Administrative Order Nos. 107 - 108	247
• Administrative Order Nos. 109 - 110	252
• Administrative Order Nos. 111 - 112	255
• Administrative Order Nos. 113 - 114	259
• Administrative Order Nos. 115 - 116	262
• Administrative Order Nos. 117 - 118	266
• Administrative Order Nos. 119 - 120	270
• Administrative Order Nos. 121 - 122	277
• Administrative Order Nos. 123 - 124	283
• Administrative Order Nos. 125 - 126	286
• Administrative Order Nos. 127 - 128	289
• Administrative Order Nos. 129 - 130	293
• Administrative Order Nos. 131 - 132-A	300
• Administrative Order Nos. 133 - 134	304
• Administrative Order Nos. 135 - 136	307
• Administrative Order Nos. 137 - 138	309
• Administrative Order Nos. 139 - 140	314
• Administrative Order Nos. 141 - 142	318
• Administrative Order Nos. 143 - 144	322
• Administrative Order Nos. 145 - 146	326
• Administrative Order Nos. 147 - 148	332
• Administrative Order Nos. 149 - 150	335
• Administrative Order Nos. 151 - 152	339
• Administrative Order Nos. 153 - 154	343
• Administrative Order Nos. 155 - 156	347
• Administrative Order Nos. 157 - 158	351
• Administrative Order Nos. 159 - 160	353
• Administrative Order Nos. 161 - 162	357
• Administrative Order Nos. 163 - 164	361

• Administrative Order Nos. 165 - 166	365
• Administrative Order Nos. 167 - 168	369
• Administrative Order Nos. 169 - 170	375
• Administrative Order Nos. 171 - 172	381
• Administrative Order Nos. 173 - 174	385
• Administrative Order Nos. 175 - 176	388
• Administrative Order Nos. 177 - 178	393
• Administrative Order Nos. 179 - 180	395
• Administrative Order Nos. 181 - 182	398
• Administrative Order Nos. 183 - 184	402
• Administrative Order Nos. 185 - 186	404
• Administrative Order Nos. 187 - 188	407
• Administrative Order Nos. 189 - 190	409
• Administrative Order No. 191	410



President Diosdado Macapagal responds happily to the ovation of the crowd at Balanga, Bataan during the commemoration of Bataan Day Anniversary, April 9, 1964.



MESSAGES OF THE PRESIDENT

DIOSDADO MACAPAGAL

1961-1965

BOOK 9 | VOLUME 5

Administrative Orders



President Diosdado Macapagal witnesses the signing of a leasehold contract during the proclamation of San Luis, Pampanga as Land Reform area, August 24, 1964.

ADMINISTRATIVE ORDERS

An Administrative Order relates to particular aspects of governmental operations in pursuance of the President's duties as administrative head of the Executive Department. The Administrative Orders of President Diosdado Macapagal began on December 30, 1961 with Administrative Order No. 1 and ended on December 29, 1965 with Administrative Order No. 191.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 1
PROHIBITING PUBLIC OFFICERS AND EMPLOYEES FROM ENTERING INTO CERTAIN
KINDS OF OFFICIAL TRANSACTIONS WITH REAL, PRETENDED OR IMAGINARY
RELATIVES OF THE PRESIDENT.

I, DIOSDADO MACAPAGAL, President of the Philippines, by virtue of the powers vested in me by law, do hereby prohibit all officers and employees of the Government holding positions of trust and responsibility from dealing directly or indirectly with any of my relatives or the relatives of Mrs. Evangelina M. Macapagal, whether by consanguinity or affinity, and whether real, pretended, or imaginary, in matters relating to contracts where the Government or any of its subdivisions, agencies or instrumentalities is a party, or to the procurement or purchase of property, supplies and materials, appointment of government personnel, recommendations for positions, or any other matter calling for action or decision.

This Order shall be without prejudice to the application of the provisions of Section 5 of Republic Act No. 3019, otherwise known as the Anti-Graft and Corrupt Practices Act.

Any officer or employee of the Government, including those of the corporations owned or controlled by the same, violating this order shall be dealt with accordingly.

Done in the City of Manila, this 30th day of December, in the year of Our Lord, nineteen hundred and sixty-one, and of the Independence of the Philippines, the sixteenth.

(Sgd.) **DIOSDADO MACAPAGAL**
President of the Philippines

By the President:
(Sgd.) **AMELITO R. MUTUC**
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1961). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 2

WITHDRAWING, RECALLING, AND DECLARING WITHOUT EFFECT ALL AD INTERIM
APPOINTMENTS EXTENDED OR RELEASED BY PRESIDENT CARLOS P. GARCIA AFTER
DECEMBER 13, 1961.

WHEREAS, ad interim appointments were extended or released by President Carlos P. Garcia after the joint session of Congress that ended on December 13, 1961;

NOW, THEREFORE, I, DIOSDADO MACAPAGAL, President of the Philippines, pursuant to the authority vested in me by law, do hereby withdraw and recall, and declare without any further effect, all the said appointments and all communications relative thereto, including those to the defunct Commission on Appointments.

Done in the City of Manila, this 31st day of December, in the year of Our Lord, nineteen hundred and sixty-one, and of the Independence of the Philippines, the sixteenth.

(Sgd.) DIOSDADO MACAPAGAL

By the President:
(Sgd.) AMELITO R. MUTUC
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1961). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 3
CREATING A COMMITTEE TO TAKE CHARGE OF ALL ARRANGEMENTS CONNECTED
WITH THE FORTHCOMING STATE VISIT OF HIS IMPERIAL HIGHNESS CROWN PRINCE
AKIHITO OF JAPAN.

By virtue of the powers vested in me by law, I, DIOSDADO MACAPAGAL, President of the Philippines, do hereby create a Committee to take charge of all arrangements connected with the forthcoming State Visit of His Imperial Highness Crown Prince Akihito of Japan, from February 6 to 11, 1962, including his reception, stay and departure.

The Committee shall be composed of the following:

The Honorable Emmanuel Pelaez	
Vice-President of the Philippines and concurrently Secretary of Foreign Affairs	Chairman
The Honorable Amelito R. Mutuc	
Executive Secretary	Vice-Chairman
The Honorable Macario Peralta, Jr.	
Secretary of National Defense	Member
The Honorable Arsenio H. Lacson	
Mayor, City of Manila	Member
The Honorable Felino Neri	
Former Ambassador to Japan	Member
The Honorable Primitivo Lovina	
Former Secretary of Labor	Member
Minister Manuel G. Zamora	
Presidential Protocol Officer	Member-Secretary

The Committee shall be responsible for the planning, coordination and smooth execution of all arrangements that will be made in connection with the State Visit.

The Committee is hereby authorized to call upon officials of any department, bureau, office, agency or instrumentality of the government, including government-owned or controlled corporations, for such assistance as it may need in discharging its duties and functions.

Done in the City of Manila, this 22nd day of January, in the year of Our Lord, nineteen hundred and sixty-two, and of the Independence of the Philippines, the sixteenth.

(Sgd.) DIOSDADO MACAPAGAL

By the President:
(Sgd.) AMELITO R. MUTUC
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1962). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 4
ORDERING AN INVESTIGATION OF THE NATIONAL RICE AND CORN
CORPORATION AND SUSPENDING THE CHAIRMAN AND MEMBERS
OF THE BOARD OF DIRECTORS THEREOF.

WHEREAS, it appears that the National Rice and Corn Corporation has failed to attain its objectives, namely, to develop and improve the rice and corn industries, to promote the social and economic conditions of those engaged therein, and to stabilize the prices of rice and corn;

NOW, THEREFORE, I, DIOSDADO MACAPAGAL, President of the Philippines, by virtue of the powers vested in me by law and pursuant to the provisions of Section 34 of Republic Act No. 2260, do hereby order an immediate investigation of the National Rice and Corn Corporation in order to determine the causes of said failure, particularly in regard to its inability to stabilize the prices of said prime commodities, and the responsibility therefor of the officials thereof; and pending such investigation, Dr. Jose V. Rodriguez, Chairman, Board of Directors, and Messrs. Maximo Calalang, Conrado Estrella and Ramon Enriquez, members of said Board, are hereby suspended from office.

Done in the City of Manila, this 25th day of January, in the year of Our Lord, nineteen hundred and sixty-two, and of the Independence of the Philippines, the sixteenth.

(Sgd.) DIOSDADO MACAPAGAL

By the President:
(Sgd.) AMELITO R. MUTUC
Executive Secretary

Source: Malacañang Records Office

Office of the President of the Philippines. (1962). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

ADMINISTRATIVE ORDER NO. 5
CREATING A COMMITTEE TO INVESTIGATE THE ADMINISTRATIVE CHARGES
AGAINST DR. PAULINO J. GARCIA, CHAIRMAN OF THE NATIONAL SCIENCE
DEVELOPMENT BOARD

A committee is hereby created to investigate the administrative charges against Dr. Paulino J. Garcia, Chairman of the National Science Development Board, composed of the following:

Justice Pastor Endencia	Chairman
Justice Teofilo Sison	Member
Justice Ramon San Jose	Member

For the purpose of the investigation, the committee is hereby granted all the powers of an investigating committee under Sections 71 and 580 of the Revised Administrative Code, including the power to summon witnesses, administer oaths, and take testimony or evidence relevant to the investigation.

The committee shall submit its report and recommendations to the President of the Philippines as soon as possible.

Done in the City of Manila, this 17th day of February, in the year of Our Lord, nineteen hundred and sixty-two, and of the Independence of the Philippines, the sixteenth.

(Sgd.) **DIOSDADO MACAPAGAL**
President of the Philippines

By the President:
(Sgd.) **AMELITO R. MUTUC**
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1962). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 6

CONSIDERING MR. PACIFICO L. VELILLA RESIGNED AS PRESIDENT OF THE PHILIPPINE COLLEGE OF COMMERCE EFFECTIVE AS OF THE DATE OF HIS PREVENTIVE SUSPENSION.

This is an administrative case against Mr. Pacifico L. Velilla, President of the Philippine College of Commerce, for (1) notoriously disgraceful or immoral conduct, (2) dishonesty and misconduct in connection with the handling of the funds of the State Colleges Athletic Association, (3) grave abuse of discretion or favoritism, (4) willful failure to pay just debts and/or conduct prejudicial to the public service, (5) borrowing money from subordinates and (6) incompetence and laxity in the performance of official duties.

The charges were investigated by a committee composed of then Undersecretary of Justice Enrique A. Fernandez, chairman, and former Undersecretary of Education Daniel M. Salcedo and First Assistant Solicitor General Guillermo E. Torres, members. The committee submitted its report on or about December 6, 1960, but the past Administration failed to decide the case. The committee found the respondent guilty of the first two charges and innocent of the others. These findings are supported by the record.

I
NOTORIOUSLY DISGRACEFUL OR IMMORAL CONDUCT

The investigation has established the following facts:

1. The respondent used to go with Mr. Victor de la Torre, Dean of Instruction and now Acting President of the Philippine College of Commerce (PCC); Mrs. Gloria Muncal, Assistant Professor; and Dr. Luminosa Mendoza, Dentist, on outings to the La Mesa Dam at Novaliches, Rizal; the Taal Vista Lodge at Tagaytay City; Antipolo, Rizal; and Pansol Hot Springs at Los Baños, Laguna. They used Mr. De la Torre's car, with the respondent and Mrs. Muncal usually sitting close to each other in the back seat. One time at the La Mesa Dam the respondent kissed Mrs. Muncal inside the car after Mr. De la Torre and Dr. Mendoza alighted therefrom.

2. Sometime in May 1957 Mrs. Muncal got sick. The respondent gave ₱5 to Dr. Mendoza to buy crackers and oranges for Mrs. Muncal which were brought to her home in Kamuning, Quezon City. The respondent arrived while Dr. Mendoza was talking with Mrs. Muncal. Shortly thereafter, Dr. Mendoza left the place, leaving the respondent in the room of Mrs. Muncal. At Mrs. Muncal's residence where respondent used to go, the latter moved freely around the house, going to the extent of entering her room and staying there for about ten minutes while she dressed up.

3. The respondent used to eat with Mrs. Muncal at the PCC Canteen within the enclosed space reserved for faculty members. On several occasions he asked Aurelio Caduyac, a janitor, to buy pancit, ice cream and other special food from the Selecta Restaurant which he and Mrs. Muncal partook together.

4. Sometime in 1957 Mrs. Muncal asked Angelito Acuña, a janitor of the PCC, to help in cleaning a house at Pepin, Sampaloc, Manila, where she was going to transfer. Acuña and Roberto Salazar, former helper at the PCC Canteen, went to the place and began cleaning the house. About 9:00 A.M. the respondent arrived. Noticing that there was no light at the entrance of the house, the respondent gave Acuña money to buy a fluorescent lamp. In the afternoon the respondent gave Acuña and Salazar ₱4 each. The following day the respondent instructed Acuña to repair certain portions of the flooring of the house and gave him ₱2 for his efforts.

5. One time Roberto Salazar entered the enclosure at the PCC Canteen reserved for faculty members and saw Mrs. Muncal crying. Respondent's hands were resting on her shoulders. The following day Mrs. Muncal told him to serve her separately from respondent and to inform respondent, should he ask for her, that she had already eaten. When the respondent asked him that question, he gave a negative answer, whereupon respondent instructed him to fetch Mrs. Muncal who finally decided to go down to the canteen. Respondent met her, took her by the arm and led her inside the enclosure.

6. In April 1958 Mrs. Muncal purchased one ovenette and one kitchen cabinet from Del Rosario Bros., Inc. She made a down payment but was not able to pay the balance which was payable within 60 days. In August 1958 Attorney Lorenzo of Del Rosario Bros., Inc., and the respondent agreed that the latter would assume Mrs. Muncal's indebtedness to the company. Subsequently, the respondent signed a promissory note for the amount due.

7. Sometime in February 1958 the respondent bought a Westinghouse refrigerator from F. O. Borromeo, Inc., for ₱1,890 payable in 12 months. The refrigerator was delivered at Mrs. Muncal's residence at 912 Pepin, Sampaloc, Manila, and the respondent himself accepted delivery of the refrigerator and signed the delivery receipt.

II

DISHONESTY AND MISCONDUCT CONCERNING SCAA FUNDS

On January 20, 1960, Narciso Pantoja, field auditor of the General Auditing Office, received an order from his chief, Mr. Epifanio Ramos, to examine all the cash, treasury warrants, money orders, cash items, paid vouchers, etc., for which respondent was officially accountable as president of the State Colleges Athletic Association (SCAA) for 1957-1958. In the afternoon of the same day, he and two companions went to respondent's office and presented the demand, which was stamped on the working papers he brought along with him, to the respondent who noted the demand as "acted and complied with." However, he did not immediately present the cash and cash items demanded of him. It was only after thirty minutes and after he had left the room several times that respondent approached the safe in his office and, after opening it, pretended to draw from it an envelope which he turned over to Pantoja. The latter refused to count the money inside the envelope because he saw that the envelope was not taken from the safe but from the left pocket of respondent's trousers. He asked one of his companions to fetch his chief, Mr. Ramos, who arrived about half an hour later. After being informed of what happened, Mr. Ramos instructed Pantoja to proceed with his examination and to count the money which respondent had turned over to him. No shortage was found in the cash accountability of the respondent.

All the incidents mentioned above render it inadvisable for the respondent to continue as head of an educational institution conducted by the State. The head of an educational institution must be a person whose integrity, character, reputation and moral fiber are above reproach so that he may be

looked upon with respect and as a source of inspiration and emulation to the youth who are placed under him for intellectual and moral guidance. Respondent is sadly wanting in these basic requisites. He does not measure up to the high standard of integrity, decorum and morality required by the present Administration of public officials and employees, more particularly those occupying key and sensitive positions. Respondent has therefore forfeited the privilege to remain as President of the Philippine College of Commerce.

Wherefore, and upon the recommendation of the investigating committee, Mr. Pacifico L. Velilla is hereby considered resigned as President of the Philippine College of Commerce effective as of the date of his preventive suspension.

Done in the City of Manila, this 27th day of February, in the year of Our Lord, nineteen hundred and sixty-two, and of the Independence of the Philippines, the sixteenth.

(Sgd.) DIOSDADO MACAPAGAL

By the President:

(Sgd.) AMELITO R. MUTUC

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1962). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 7
REMOVING MR. ALFONSO E. CONAG FROM OFFICE AS JUSTICE OF THE PEACE
OF CAWAYAN, MASBATE.

This is an administrative case filed by Eugenia Kipti against Justice of the Peace Alfonso E. Conag of Cawayan, Masbate, for (1) misconduct in office and (2) bribery. The charges were investigated by the District Judge who found him guilty of the first and recommended his suspension from office for two (2) months without pay, with reprimand and warning.

The records show that Civil Case No. 41 of respondent's court for unlawful detainer, filed by the complainant in 1956, was dismissed by the respondent who ordered the parties to observe the status quo with respect to their respective possessions of the land in question. As the defendants did not obey the decision, complainant went to respondent who proposed the revival of the case for ₱100 to which she agreed. He forthwith visited the land, traveling 30 kilometers by motorboat, on horseback and on foot, and later received from complainant ₱100 for the preparation of a new complaint which she signed and was registered in his court as Civil Case No. 60. He also wrote the municipal treasurer to correct the double tax declarations on the same land. The defendants filed a petition for certiorari in the Court of First Instance which was given due course and respondent was enjoined from trying the case. This development gave rise to the filing of the present administrative case.

Despite respondent's denial that he received ₱100 from complainant and avowal that he merely served as counsel for both parties to avoid further litigation and expense on their part, the proof is convincing that complainant really gave him the money as shown by his unusual interest in making the tedious "ocular inspection" although there was no case pending in his court, which was undertaken because of her promise to give him that amount.

It cannot be denied that respondent's visit to the complainant's land was primarily at her request and for her benefit, giving rise to the moral conviction that the respondent received money from the complainant for so acting in her behalf, as she declared. Such compensation, even if it may not constitute bribery, a question which need not be determined in this proceeding, is undoubtedly improper, immoral and reprehensible. When he received the amount of ₱100 from the complainant he knew or ought to have known that Mrs. Kipti had intention of filing another action for unlawful detainer in his court regarding the same property involved in Civil Case No. 41 which he had previously acted upon in his court. By accepting the money from the complainant, he certainly caused the complainant to believe that he was helping her in a dual capacity—as attorney and at the same time as judge who would take cognizance of the case—thereby exposing his judicial integrity to serious public doubt and suspicion.

The record also shows that in Criminal Case No. 549 of respondent's court, Bonifacio Kipti (son of herein complainant) and Restituto Repollo, both policemen of Cawayan, were accused of maltreatment of prisoners. During the pendency of the case respondent borrowed ₱50 from each of them. The case was dismissed later because of the refusal of the offended parties to proceed therewith.

Respondent did not pay back the money borrowed from the two policemen, saying that after all the case against them had been dismissed.

Respondent likewise denied the truth of the above as testified to by said policemen. However, he failed to explain why they, particularly Repollo (who executed an affidavit more than a year before the instant complaint was presented that respondent had borrowed money from him which he refused to pay), had testified falsely against him. I am therefore morally convinced of the truth of their testimony. It is thus clear that in Criminal Case No. 549 respondent took advantage of his position by borrowing money from both accused, which irregularity is aggravated by his refusal to pay the loans.

In view of the foregoing, I find respondent guilty of misconduct highly prejudicial to the administration of justice. The seriousness of the irregularities committed vitally affects his fitness for his present post. I am therefore constrained to take drastic action against him.

Wherefore, Mr. Alfonso E. Conag is hereby removed from office as justice of the peace of Cawayan, Masbate, effective upon receipt of a copy of this order.

Done in the City of Manila, this 14th day of March, in the year of Our Lord, nineteen hundred and sixty-two, and of the Independence of the Philippines, the sixteenth.

(Sgd.) DIOSDADO MACAPAGAL

By the President:

(Sgd.) AMELITO R. MUTUC

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1962). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 8
REMOVING MR. FRANCISCO M. SAN DIEGO FROM OFFICE
AS REGISTER OF DEEDS OF PALAWAN.

Mr. Francisco M. San Diego, Register of Deeds of Palawan, is charged, *inter alia*, with (1) illegal exaction, (2) unauthorized pursuit of profession, (3) inefficiency, (4) incompetence, (5) neglect of duty and (6) violation of office regulations. The charges were investigated by a committee designated by the Commissioner of Land Registration.

Charge I. Illegal Exaction

The record shows that respondent asked and obtained ₱40 from one Enrique Tayungad for the preparation of a petition in court for the surrender of a certain title. He returned the amount when he failed to secure such surrender although he actually prepared and filed the petition and appeared in court. His appearance was, however, without the permission of the proper authorities.

On another occasion he was given ₱20 by one Esperanza Marcelo for four certificates of title he issued and delivered to her at her house, for which no official receipt was issued at the time as required by the regulations. The following Monday respondent issued four official receipts covering ₱16 for the four certificates of title, to which should be added the amount of ₱1.20 for documentary stamps at ₱.30 for each document, giving a total of ₱17.20 for fees and stamps. The balance of ₱2.80 was given to respondent for cigarettes which he did not attempt to refuse.

It is noted from the official receipts that the sum of ₱1 was collected as entry fee for each certificate of title not required at all by law.

To say the least, respondent is guilty of unauthorized pursuit of profession, incompetence, violation of regulations and conduct prejudicial to the interest of the public service.

Charge II. Unauthorized Pursuit of Profession

(a) It appears that respondent appeared as private counsel in several civil and criminal cases of the Justice of the Peace Court of Puerto Princesa, Palawan, without prior permission from the proper authorities. Respondent alleges that his participation in one civil case was only to prepare a motion to dismiss and he did not actually appear at the trial, while in the two other civil cases he did appear because one of the parties therein was a relative of his wife. Be that as it may, the fact remains that his appearance before the court was without the previous authorization of the proper authorities required by the regulations. As regards his appearance in the criminal cases, respondent avers that he did so as counsel de oficio. However, he did not present as evidence his authorization from the court to act as such, which belies his claim.

(b) In connection with this charge, it also appears that respondent stated in his certificates of service that he was present in office on November 7, 1956, August 30, October 14, 15 and December 3,

1957, and October 27, November 3 and 13, 1958, when in fact he appeared in the Justice of the Peace Court of Puerto Princesa, Palawan, as private counsel at the hearing of the civil and criminal cases above referred to, as confirmed by the records of said cases and the justice of the peace concerned. This indicates that his certificates of service were falsified.

Charge III. Inefficiency

(a) Since assuming office as Register of Deeds of Palawan respondent failed to inscribe in the Registration Book documents he admitted for registration under Act No. 3344, which were just entered in the Primary Entry Book. Copies of said documents were released to the registrants with the certification that they had been duly recorded in the Registration Book. Respondent claims that he could not record the documents because the Registry does not have the book notwithstanding previous requisition therefor. The records of the Commission do not show that respondent made any requisition for such book since he assumed office in 1954.

(b) The respondent also failed to cause the preparation of index cards for certificates of title since November 1958. He avers that his failure to do so was due to the fact that he has only one clerk to help him in the performance of his duties. Had he shown more diligence in his work, he should not have issued certificates of title without properly accomplished index cards as enjoined by office regulations.

Charge IV. Incompetence

(a) Deeds of conveyance of properties under homestead patents executed in favor of private parties within 25 years from the issuance of the titles were accepted for registration without the approval of the Secretary of Agriculture and Natural Resources. Respondent's explanation that he did not require the presentation of the Secretary's approval so as to obviate delay and expense for the registrants is unsatisfactory, his act being against the law.

(b) The respondent admitted to registration documents concerning properties covered by titles containing memoranda that said properties are subject to cadastral costs, without the same having been paid. He claims that proofs of payment of cadastral costs accompanied the documents. If his claim were true, said proofs should have been registered and fees for entry and annotation collected. The records do not show any fee collected.

Charge V. Neglect of Duty

(a) Respondent failed to deposit daily or early in the morning of the next business day the collections of the Registry with the office of the Provincial Treasurer of Palawan, in violation of auditing regulations. It is claimed that the delay in depositing the collections was due to the absence of his clerk. However, the daily time record of this employee shows that he was not absent on the days following those when said collections were made. The office of the Provincial Treasurer is adjacent to the Registry so that, had the respondent shown more diligence in the performance of his duties, he could have easily deposited the collections himself.

(b) Similarly, respondent failed to register documents in spite of the fact that they were received at the Registry since May 1958. He admits his failure to do so and offers no explanation.

(c) In new transfer certificates of title issued the names of the spouses of the registered owners were not mentioned. He alleges that the names of the spouses of the registered owners could not be

stated in the titles because the corresponding deeds or instruments only gave their civil status without mentioning the names of the spouses. Those documents then should have been denied registration for noncompliance with the law.

(d) The respondent failed to issue official receipts for money orders remitted by registrants to cover registration fees and documentary stamps. He claims that he only followed an old practice until he received a circular-letter dated October 8, 1959, from the Provincial Auditor. But GLRO Circular No. 152 dated December 23, 1931, provides that an official receipt shall always be issued immediately upon receipt of any fees for registration of documents or for other purposes. This shows that respondent is not conversant with pertinent circulars governing his office.

Charge VI. Violation of Office Regulations

(a) Documents were registered without evidence of payment of real estate taxes, in violation of the regulations. Respondent claims that the registrants showed him the real estate tax receipts but he only failed to make annotation on the documents of the number, place and date of issue of the receipts. If the receipts were really shown him, he should have noted those details required by the regulations.

(b) Documents admitted to registration were not stamped with rubber stamp showing the amount of fees paid and documentary stamps affixed, also in violation of office regulations. Respondent's claim that his office was not supplied such rubber stamp is belied by the records of the central office showing that all Registries of Deeds were furnished said rubber stamps.

(c) The respondent improperly cancelled documentary stamps affixed to documents admitted to registration by just crossing them out with ink, in violation of the Internal Revenue Code. He admits the improper cancellation but claims that a handpunch was received by the Registry only a year ago. The records of the Commission show that the Registry of Deeds of Palawan was furnished a perforator in May 1957.

In view of the foregoing, I find the respondent guilty of all the charges are above specified with the exception of the first where he is found guilty in the manner indicated. Honesty, competence and devotion to duty are basic requisites for the successful conduct of public affairs which the present Administration is determined to achieve. Respondent utterly lacks these fundamental traits and he therefore does not deserve to continue in the public service.

WHEREFORE, Mr. Francisco M. San Diego is hereby removed from office as Register of Deeds of Palawan, without prejudice to his criminal prosecution should the facts so warrant.

Done in the City of Manila, this 29th day of March, in the year of Our Lord, nineteen hundred and sixty-two, and of the Independence of the Philippines, the sixteenth.

(Sgd.) DIOSDADO MACAPAGAL

By the President:

(Sgd.) AMELITO R. MUTUC

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1962). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 9

**CONSIDERING MR. VALENTIN GUMIRAN RESIGNED AND SEPARATED
FROM THE SERVICE AS JUSTICE OF THE PEACE OF STO. TOMAS, ISABELA.**

Mr. Valentin Gumiran, justice of the peace of Sto. Tomas, Isabela, is charged with dereliction of duty in Administrative Cases Nos. 25 and 30 in connection with his actuations in Criminal Cases Nos. 58 and 102 of his court, respectively. The charge was investigated by the District Judge who, on the strength of the evidence adduced, recommended the forced resignation of the respondent. The Department of Justice agreed with the conclusions of the Investigating Judge and recommended that the respondent be required to resign immediately for gross dereliction of duty.

It appears that the preliminary investigation of Criminal Cases Nos. 58 and 102 for murder and triple homicide through reckless imprudence, respectively, was concluded by the respondent on August 17, 1954, and May 31, 1956. About a year thereafter the complainants and their relatives, not knowing what happened to the cases, made verbal and written inquiries to the respondent as to the status thereof, but they were either ignored or not answered by him. When they inquired from the Clerk of Court and the Provincial Fiscal of Isabela, they were informed that the records of the cases had not been received in the office of either. Because of this state of things, the respondent was cited to appear before the Provincial Fiscal for investigation relative to the missing record of Criminal Case No. 58 and, failing to do so as directed, he was ordered arrested by the Court of First Instance of Isabela.

In his defense the respondent maintains that he sent the originals and copies of the records of Criminal Cases Nos. 58 and 102 to the Court of First Instance and the Provincial Fiscal of Isabela by ordinary mail as neither his office nor that of the municipal treasurer of Sto. Tomas had stamps to send them by registered mail; that in fact he spent ₱0.60 from his personal fund for the purpose; and that he could not handcarry the records to Ilagan for lack of time.

Respondent's explanation does not impress me. Considering the importance of the records and the seriousness of the offenses involved, he should have personally carried the papers to Ilagan, as he used to, when he could not transmit them by registered mail for the reason advanced by him. If he had sent the records to Ilagan by ordinary mail, they would in due course have reached their destination as there was no report of mail pilferage between Sto. Tomas and Ilagan on June 5, 1956, when he allegedly sent them by ordinary mail. Again, he could have shown to the Clerk of Court and the Provincial Fiscal his file copies of the records and of the corresponding letters of transmittal when he was required to answer the administrative charges against him. What is more, he failed to show to the District Judge during the investigation of the charges his supposed office file copy of Criminal Case No. 102.

Lastly, as an indication of his utter lack of concern for these cases which gave rise to the present charges, the respondent did not bother to ascertain from the Clerk of Court whether the records of these criminal cases had been received by him even after he had received inquiries from the complainants as to the status of said cases.

From an analysis of the evidence, I agree with the conclusion of the District Judge that the records in question were never forwarded by the respondent to the Court of First Instance nor were copies thereof sent to the Provincial Fiscal as required by standing regulations, in gross dereliction of his duty. This conclusion is bolstered by his fatal contradiction in claiming during the investigation of Administrative Case No. 25 that he sent to the Court of First Instance the record of Criminal Case No. 58 on August 17, 1954, and asserting during the hearing of Administrative Case No. 30 later that he mailed the records of both Criminal Cases Nos. 58 and 102 to the Court on June 5, 1956.

The proven acts and conduct of respondent constitute gross dereliction of duty and betray sheer official irresponsibility on his part for which he does not deserve to remain in the public service wherein only men imbued with a high sense of responsibility and dedicated to their duties should be.

Wherefore, Mr. Valentin Gumiran is hereby considered resigned and separated from the service as justice of the peace of Sto. Tomas, Isabela.

Done in the City of Manila, this 29th day of March, in the year of Our Lord, nineteen hundred and sixty-two, and of the Independence of the Philippines, the sixteenth.

(Sgd.) DIOSDADO MACAPAGAL

By the President:

(Sgd.) AMELITO R. MUTUC

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1962). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 10**CONSIDERING MR. AGUEDO Y. GEPTÉ RESIGNED AND SEPARATED FROM THE SERVICE
AS DIRECTOR OF SUPPLY COORDINATION.**

This is an administrative case against Mr. Aguedo Y. Gepte, Director of Supply Coordination, for gross negligence and incompetence, dishonesty, misconduct in office and acts prejudicial to the service, particularized as follows:

1. Purchasing and/or causing to be purchased supplies, materials and equipment without public bidding;
2. Splitting requisitions and buyer's orders to avoid the prior intervention of the Auditor General and/or the Secretary of General Services;
3. Channeling awards to favored dealers;
4. Purchasing costly supplies to favor particular dealers;
5. Failing to implement laws, rules and regulations on procurement;
6. Fraternizing with merchants or their representatives doing business with the Bureau of Supply Coordination and utilizing the influence of his office to promote the organization of a clique of merchants dealing with said office; and
7. Following an irregular procedure, causing or tolerating the sales of unserviceable or surplus property of the Government.

The charges were investigated by a committee of three headed by the Solicitor General.

Respondent's defenses are in the nature of confession and avoidance. He admitted in his answer and on the witness stand the transactions involved in the charges but denied liability therefor.

Charge I

The record shows that the Bureau of Supply Coordination made purchases of supplies, materials and equipment during respondent's incumbency as director thereof without the benefit of public bidding allegedly (a) due to the upward trend of prices, (b) because the purchases were urgent and (c) because the suppliers were the exclusive manufacturers and distributors of the supplies, materials and equipment involved and no suitable substitutes could be obtained. Purchases were also made without public bidding based on (d) the result of previous bids held to fill different and prior requisitions and (e) so-called bids for incoming requisitions.

A typical example of the class of purchases made without public bidding allegedly because of the "upward trend of prices" is the seven separate buyer's orders dated August 18 and 31, 1959, for culverts, gauge 16 (Exhs. A-1 to A-7). The price of ₱33 per lineal meter stated therein was simply based on a previous bidding for the same item held on May 25, 1959, or three months earlier. There was no valid justification for the use of the price obtained in the old bid as the quantity called for then

was only 300 lineal meters while the subsequent purchases involved totaled 1,960 lineal meters. No record of the alleged upward trend of prices as a guide or basis for the waiver of public bidding was presented. On the contrary, the evidence shows that generally there was no upward trend of prices during the period covered by the charge, and fluctuation in price for this item was actually on the downward trend.

Purchases were likewise made without public bidding on the ground that the same were urgent which was not so as shown by the long delay in the release of the requisitions by the requisitioner (Exhs. A-77, A-79). Moreover, the requisitions contained no certification of urgency by the Department Head concerned to justify waiver of public bidding pursuant to Executive Order No. 298, series of 1940.

Neither was there justification for waiver of public bidding in numerous purchases, typified by those for filing cabinets and allied office steel equipment, because the suppliers were said to be “exclusive manufacturers and distributors.” These articles, distributed by eight dealers in Manila, are not exclusively by one dealer; hence, public bidding cannot be waived in their procurement except under the conditions mentioned in Executive Order No. 298, which conditions did not exist in any of the purchases made by respondent’s office.

Purchases were also made without actual public bidding but based on “bids for incoming requisitions.” Unlike actual public bidding where the Government advertises the exact quantities of supplies, materials and equipment to be purchased, the bidding was solely for the purpose of establishing the price of a few pieces of an item and using the same for future purchases of unlimited quantities of the same item spread over a long period of time. An example of such bidding was that conducted on September 14, 1959 (Exh. NN), for filing cabinets and allied office equipment. The advertisement called for only ten pieces for each bid item, but purchases of unlimited quantities were made on the basis of the prices obtained therefrom.

Respondent contends that in view of Executive Order No. 290, series of 1958, making him “primarily responsible for the administration of the supply system of the government,” he has the exclusive prerogative of determining whether the purchase should be by bidding or through negotiation. The contention is untenable. Executive Order No. 290 is not self-executing but contemplates the promulgation of implementing rules to govern government procurement, either by bidding or through negotiation (Sec. 12). Until said executive order has been implemented, the rules on government procurement in force at the time of its promulgation should be applied pursuant to its transitory provision (Sec. 43). Under Executive Order No. 298, series of 1940, purchase by public bidding is the rule, by negotiation the exception. Respondent admits that this too is the rule under Executive Order No. 290. Insofar therefore as this aspect of government procurement is concerned, the old setup remains unchanged. Indeed Executive Order No. 290 could not have vested in the head of the Bureau of Supply Coordination unlimited power and discretion in the matter of government procurement with no standard to guide him in the exercise of that power and no safeguard against the abuse of that discretion except his own judgment.

Respondent’s claim that all negotiated sales were made only after a thorough canvass of the market is not supported by any record of canvass but only by the testimony of the buyers who allegedly made the canvass by telephone. While other pertinent details are stated in the buyer’s orders, nothing is mentioned of the alleged canvass upon which the waiver of public bidding was based. No explanation was made or offered for the omission.

Respondent further contends that the Government sustained no loss in the purchases made without public bidding. Loss is not essential to hold the offending officer administratively liable.

I agree with the investigating committee that respondent is guilty of Charge I.

Charge II

The charge of splitting requisitions and buyer's orders to avoid the prior intervention of the Auditor General and/or the Secretary of General Services is supported by Requisition No. 564 (Exh. C-329) which was split into five buyer's orders (Exhs. C-105, C-106, C-107, C-108 and C-109). Requisition No. 29726 mentioned in the charge was also split into five buyer's orders (Exhs. G-14, G-15, G-16, G-17 and G-23).

Splitting of requisition was prohibited under the memorandum issued by the Secretary of General Services to the Director of Supply Coordination dated January 16, 1959, as reiterated in another memorandum dated September 21, 1959, of the Acting Secretary of General Services who in Department Order No. 10 dated September 18, 1959, required approval by the Department of all contracts or orders involving a total cost of not less than ₱2,000, leaving to the approval of the Director of Supply Coordination those whose amounts are from ₱500 to not exceeding ₱2,000. Administrative Order No. 290 issued by the President on February 3, 1959, requires all contracts of whatever nature involving ₱10,000 or more to be entered into by government offices and entities to be first submitted to the Auditor General for review and examination.

Respondent questions the authority of the Secretary of General Services to issue the directives in question. He contends that the Department Head arrogated unto himself the functions of the Bureau of Supply Coordination in the purchase of supplies, materials and equipment of the Government expressly vested in the Director of said bureau by law which cannot be made subordinate to said departmental instructions.

The departmental directives are legitimate assertions by the Secretary of his power to review the official acts of subordinate officials. In passing upon purchases made by the Bureau of Supply Coordination, he does not exercise or usurp functions pertaining to the Director thereof but merely exercises his control, direction and supervision over said bureau. As elsewhere stated, Administrative Order No. 290, series of 1958, did not vest in the Director of Supply Coordination unlimited power in the matter of government procurement, much less impair the President's control over said bureau and other offices created or organized pursuant to its enabling law (Rep. Act No. 997, as amended; Art. VII, Sec. 10 [1], Constitution), or deprive the Department Head concerned of his control, direction and supervision over said offices (Sec. 79 [A], Rev. Adm. Code). If he believed that the directives of the Department Head unlawfully limited his power as purchasing agent of the Government, he should have asked their revocation by the Department Head and appealed to the President if his request was denied, instead of proceeding to commit acts of insubordination by deliberately violating the Department Head's directives.

Respondent's attempted justification of the splitting and non-consolidation of requisitions, to wit, to avoid the delay and inaction on the part of the Department of General Services only confirms the charge of splitting requisitions to avoid prior intervention of the Department Head.

Neither is respondent's explanation tenable that it was impractical to consolidate requisitions. The directive of the Secretary of General Services was not intended to apply to requisitions "where the items requisitioned are to be delivered to different end-users in different parts of the country," as he argues in his memorandum (Exh. 45), but to requisitions for one or more items which are needed at the same time or at approximately the same time by the same requisitioner.

Finally, it is no defense that all the questioned purchases were brought to the attention of the Secretary of General Services when the corresponding purchase orders or copies thereof were forwarded to him for his information and/or approval. Silence by the Secretary after the transaction had been

consummated, was no excuse for the repeated violation by respondent of the Secretary's directives and of Executive Order No. 298. Besides, the Secretary himself instituted the present administrative charges when he discovered the irregular acquisitions from the purchase orders or copies thereof forwarded to his department.

Respondent is also guilty of Charge II. As in the first charge, his liability is not contingent on proof of loss to the Government because of said violations of rules on procurement.

CHARGES III AND IV

It is alleged that respondent channeled awards to favored dealers and purchased costly supplies to favor particular dealers. Although there were other merchants dealing in office and school supplies, the awards of requisitions therefor were usually given to three suppliers; namely, Boc's Trading, Efco Trading and S. P. Trinidad. Also, there are eight merchants in Manila dealing in filing cabinets and allied office steel equipment, but purchases thereof were usually made from the Asiatic Steel Manufacturing Company, Arco Trading and Acme Steel Manufacturing Company.

Awards of requisitions for these items were with or without public bidding. Those without public bidding were based either on old bids or on so-called bids for incoming requisitions. If public biddings were held, the dealers of the advertised line items submitted identical bids or uniform prices, which is indicative of conspiracy or collusion among them to rig up the bidding so as to prevent the lowering of prices and at the same time enable all to share in the award. This collusion becomes obvious from the fact that Acme Steel Manufacturing Co., Asiatic Steel Manufacturing Co. and Arco Trading are owned by three brothers.

Respondent stubbornly ignored offers of lower prices by another dealer of filing cabinets and allied steel equipment. Thus, on January 12, 1960, the Stateside Steel Manufacturing Co. wrote to him requesting that a public bidding be held on these line items, as it was willing to lower and adjust its prices for them. This offer was reiterated in a second letter to respondent on February 17, 1960, wherein this dealer offered to reduce its prices from 10% to 20% below the prices at which the Bureau of Supply Coordination had been buying them. Respondent paid no attention to this formal offer and did not conduct a public bidding until May 10, 1960. But even this bidding was not actual bidding. It was a bidding for so-called incoming requisitions.

There is no proof that respondent received monetary consideration for his refusal to heed the request for public bidding or to accept the lower offer or that he connived with the dealers in rigging up the bidding. But the evidence shows that he consented to the practice instead of taking steps to break the unholy combination among dealers. His justification for the dealers' act of invariably entering identical bids so as to avoid ruinous competition is untenable.

Charge V

It is claimed that respondent purchased imported supplies instead of locally manufactured products, in violation of the Flag Law. This count has reference only to mimeograph stencil paper and ink. However, in purchasing Gestetner brand, which is of foreign manufacture, respondent did so upon the insistence of the requisitioners or end-users who preferred that brand because of the alleged poor quality of the locally manufactured product which is claimed to be more expensive in the end. Respondent's explanation is believed satisfactory. The same is true as to his failure to furnish periodically, as required by law, local governments with a list of current government prices and

specifications of materials, equipment and supplies for want of necessary appropriations to purchase the requisite paper.

Charge VI

The pertinent count that should be treated here is the alleged juggling of funds, to the effect that certain suppliers were paid from deposits or payments made by other requisitioning offices instead of the requisitioners concerned. However, respondent may not be held responsible therefor, as when he signed the corresponding vouchers all supporting papers appeared regular in all respects and they already contained the chief accountant's certification on the availability of funds. Respondent is therefore cleared on this charge.

Charge VII

It appears that thirteen surplus items of assorted parts of equipment and machinery located in Montalban, Rizal, and listed in the report of inventory and inspection (I & I) of August 21, 1959 (Exh. 000), were advertised for sale through public bidding by the respondent. However, three surplus items consisting of one generator and two crushers, covered by another I & I report of August 24, 1959, although not included in the invitation to bid and in the bid of Zoilo San Juan, the winning bidder, were delivered to him. The three extra items had a book value of ₱10,056.50. Pursuant to Executive Order No. 37 dated May 22, 1954, respondent should have referred the papers to the National Shipyards and Steel Corporation (NASSCO) for disposal of the articles instead of advertising them for sale and proceeding with the sale. Considering that the Commissioner of Public Highways, who should have made the reference to NASSCO in the first place, recommended that the surplus items be disposed of through sale in a public bidding, respondent's omission is not altogether inexcusable.

However, the same cannot be said of the three items listed in the second I & I report. The thirteen surplus items sold to San Juan and the three surplus items not included in the sale appear in separate lists which San Juan signed, and he took delivery of the two sets of items on different dates. When respondent was informed of the fraud the articles had not been sold by San Juan, yet he did not take immediate steps to recover them but limited himself to causing or undertaking an investigation to pinpoint responsibility of the employees who connived with San Juan. Respondent was thus negligent in failing to take the necessary steps to protect the interests of the Government.

The rules and regulations governing procurement are intended for the protection of the Government. Respondent's predisposition to disregard and circumvent such rules and his want of due zeal to safeguard and promote the welfare of the Government, which is the basic requirement for any public servant, render his continued stay in office as chief procurement officer of the Government inadvisable, risky and untenable. I am therefore left no alternative but to take drastic action against him.

Wherefore, Mr. Aguedo Y. Gepte is hereby considered resigned and separated from the service as Director of Supply Coordination, effective as of the date of his preventive suspension.

Done in the City of Manila, this 29th day of March, in the year of Our Lord, nineteen hundred and sixty-two, and of the Independence of the Philippines, the sixteenth.

(Sgd.) DIOSDADO MACAPAGAL

By the President:
(Sgd.) AMELITO R. MUTUC
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1962). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 11
CONSIDERING MR. MANUEL I. RIVERA RESIGNED AND SEPARATED
AS JUSTICE OF THE PEACE OF CARAGA AND MANAY, DAVAO.

This is an administrative case against Justice of the Peace Manuel I. Rivera of Caraga and Manay, Davao, which arose from an anonymous complaint containing various charges against him involving, among other things, irregularities in the performance of his duties. The case was investigated by the District Judge.

It appears that Criminal Case No. 93 of respondent's court for estafa against Lazaro Mocam was filed on October 4, 1952, but the preliminary investigation was conducted by him only on August 5, 1953, when the case was dismissed. The delay of nine months tends to prove that he gave the parties an opportunity to settle the case amicably and the accused to raise the money therefor. At any rate, his failure to act for so long a time shows inefficiency on his part.

In Criminal Case No. 89 for estafa Constancio Mandaya was sentenced by respondent on October 6, 1952, to imprisonment for two months and one day to four months, to indemnify the offended party in the sum of ₱60 and to pay the costs. Four days later respondent amended his decision by sentencing the accused to pay a fine of ₱40 without subsidiary imprisonment in case of insolvency. The amount allegedly swindled being ₱30, the proper penalty was arresto mayor in its medium and maximum periods (Par. 4, Art. 315, Rev. Penal Code). In imposing a fine merely without subsidiary imprisonment in case of insolvency, respondent revealed ignorance of the law.

Again in Criminal Case No. 124 for less serious physical injuries, Teodoro Basoc was convicted of slight physical injuries and sentenced by the respondent on June 23, 1954, to a prison term of one month of arresto menor. On June 25, 1954, respondent amended his decision by imposing only a fine of ₱50 on the accused. Here, too, respondent showed gross ignorance of the law because when he amended his original decision, the accused had already commenced serving sentence, and therefore the judgment had become final and he had lost jurisdiction over the case.

From the established facts, it is clear that the respondent is guilty of inefficiency and gross ignorance of the law, which render him unfit to continue in the judiciary. Competence and devotion to duty are indispensable to the proper discharge of official duties, and respondent is sadly wanting in those basic requisites.

Wherefore, Mr. Manuel I. Rivera is hereby considered resigned and separated from the service as justice of the peace of Caraga and Manay, Davao.

Done in the City of Manila, this 3rd day of April, in the year of Our Lord, nineteen hundred and sixty-two, and of the Independence of the Philippines, the sixteenth.

(Sgd.) DIOSDADO MACAPAGAL

By the President:
(Sgd.) AMELITO R. MUTUC
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1962). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 12
REMOVING MR. ALFREDO TAD-Y FROM OFFICE AS REGISTER OF DEEDS
OF NEGROS OCCIDENTAL AND BACOLOD CITY.

Mr. Alfredo Tad-y, Register of Deeds of Negros Occidental and Bacolod City, is charged with (1) negligence in connection with the registration of falsified duplicate certificates of title and (2) violation of the Land Registration Law for delivering owner's duplicate certificates of title to a person who was not the registered owner of the properties covered by said titles or authorized by the owners to receive the same. The respondent waived his right to a formal investigation, and on the basis of his answer-explanation to the complaint, the Commissioner of Land Registration found him guilty only of the first charge and recommended that he be reprimanded and warned. However, the Department of Justice found respondent guilty of both charges and recommended his separation from the service.

I

As to the first charge of negligence, the record shows that on May 21, 1958, respondent registered a deed of mortgage, the accompanying owner's duplicate of the original certificate of title (No. P-3010) to the land covered thereby being falsified. It appears in said deed and title that the mortgagor and owner was Nicasio Singson, married to Belena Bañez, with postal address at Kabankalan, Negros Occidental, and that the property was situated in Barrio Pugad. However, in the corresponding original title on file in his office, the registered owner is Ricardo Claveria, married to Florencia Amar, with postal address at Inapoy, Kabankalan, and that the property described therein is situated in Barrio Orong.

On the same date respondent registered another deed of mortgage. Again, the owner's duplicate of the original certificate of title (No. P-2942) presented was falsified. In said deed and title the mortgagor and owner was Teofilo Ramos, married to Salvacion Roa, and that the property was situated in Barrio Saise, municipality of Kabankalan. In the corresponding original title on file, the registered owner is Amado Baylon, married to Adela Jabagat, and that the property embraced therein is located at Barrio Orong of said municipality.

The respondent admits that he failed to detect the above-mentioned discrepancies but claims that he exercised due diligence when he accepted for registration the deeds of mortgage. According to him, he verified whether the numbers of the titles presented tallied with those of the originals on file, whether the correct title numbers appeared in the instruments and whether the requirements of law and regulations for their registration had been complied with. After this verification, he did not examine further the details of the titles and deeds as they were supposed to have been carefully check by the annotation clerks, examiner and acting deputy register of deeds. He further explains that he had always been examining documents meticulously before signing them but because of the volume of work then pending when the incidents happened, he had to relax his vigilance in order to expedite registration, relying "on the accuracy, experience, faithfulness, and dependability of the employees."

Respondent's explanation is not satisfactory. It is without doubt that the owner's duplicates of original certificates of title Nos. P-3010 and P-2942 were falsified by altering the names of the registered owners and their spouses and the location of the properties appearing thereon. Under LRC Circular No. 6 dated September 10, 1954, registers of deeds and their personnel were required to take proper precautions in the examination of certificates of title accompanying instruments presented for registration, seeing to it that they are the exact duplicates of the originals in their offices. Had respondent been more careful and had he complied strictly with the provisions of said circular, which was issued precisely to curb reported cases of forged certificates of title in circulation, by comparing the names of the registered owners appearing on the owner's duplicates with those on the originals, instead of merely checking the title numbers, he could have discovered the discrepancies.

II

Regarding the other charge of violation of the Land Registration Act, it appears that on several occasions during the months of March, April and May 1958 land titles were delivered to one Miguel Urbanoza who was not the owner thereof nor authorized by the registered owners to receive them, two of which titles treated above were later falsified.

Respondent avers that it was his order to his employees to deliver papers and titles only to registrants or owners or their duly authorized representatives; and that in any event the person to whom the titles involved were delivered was an employee of the assessor's office known to the Registry who was verbally authorized by the patentees or owners of the certificates to receive said titles. Respondent's explanation is also unsatisfactory, the delivery being in violation of Sections 41 and 122 of the Land Registration Act, which wrongful delivery made possible the commission of the falsifications complained of. The desire to expedite delivery did not justify the failure to make sure that they were delivered to their rightful owners.

In view of the foregoing, I find the respondent guilty on both counts.

Respondent not only failed to notice that the names of the owners in the falsified duplicate certificates of title were different from those in the originals filed in his office but also made the falsifications possible by allowing the delivery of the duplicate certificates subsequently falsified to one who was neither their owner nor duly authorized to receive them. His inability to note such a glaring discrepancy as the difference in the names of the owners amounts to reckless negligence, seriously reflecting on his supervision over his subordinates and on his own efficiency. Such neglect cannot be mitigated by the volume of work in his office because it was his primary duty to check the identity of the duplicate certificates of title presented to him with the originals on file. The gross negligence thus incurred by him and the attendant injury to private parties warrant drastic disciplinary action against him, his good faith and previous record of efficient service notwithstanding.

WHEREFORE, Mr. Alfredo Tad-y is hereby removed from office as Register of Deeds of Negros Occidental and Bacolod City, effective upon receipt of a copy of this order.

Done in the City of Manila, this 3rd day of April, in the year of Our Lord, nineteen hundred and sixty-two, and of the Independence of the Philippines, the sixteenth.

(Sgd.) DIOSDADO MACAPAGAL

By the President:
(Sgd.) AMELITO R. MUTUC
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1962). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 13
CONSIDERING MR. SALVADOR V. PERALTA RESIGNED AND SEPARATED
AS JUSTICE OF THE PEACE OF NEW WASHINGTON, AKLAN.

These are two administrative cases against Mr. Salvador V. Peralta, justice of the peace of New Washington, Aklan, based on identical charges that he failed to decide two civil cases for forcible entry despite the lapse of more than 90 days after their submission. The cases were investigated by the District Judge.

It appears that Civil Cases Nos. 31 and 32 of respondent's court were submitted on January 15, 1959, and December 12, 1958, and were decided only on July 26 and 24, 1959, respectively. The delay being unwarranted, the Judge recommended that respondent be reprimanded. When the Department of Justice discovered that respondent had stated in his certificate of service for June 1959, for the purpose of collecting his salary, that he had no undecided cases for more than 90 days, the records were returned to the District Judge with the request that respondent be formally charged with, and investigated for, neglect of duty and dishonesty.

Respondent claims that he made an ocular inspection of the premises on March 5, 1959, from which the 90-day period for deciding the cases should be reckoned; and that he made the error in his certificate of service in good faith owing to pressure of work which caused him to overlook the detail. Even if he did conduct an ocular inspection by himself alone on March 5, 1959, wherein the District Judge had serious misgivings, considering its impracticability, if not impossibility, without the presence of the parties to point the land, its boundaries and landmarks, the net result would still be that he did not decide the cases within 90 days.

The established facts show that the respondent has not only been negligent and inefficient in the discharge of his duties but he is also guilty of dishonesty in making it appear that he had no pending cases for decision for more than 90 days to enable him to collect his salary. Honesty, efficiency and devotion to duty are basic requirements in the proper discharge of official duties, and this Administration is determined to exact the same of officials and employees in the public interest. Wanting in those basic qualifications, respondent does not deserve to remain in the public service.

WHEREFORE, Mr. Salvador V. Peralta is hereby considered resigned and separated from the service as justice of the peace of New Washington, Aklan.

Done in the City of Manila, this 3rd day of April, in the year of Our Lord, nineteen hundred and sixty-two, and of the Independence of the Philippines, the sixteenth.

(Sgd.) DIOSDADO MACAPAGAL

By the President:
(Sgd.) AMELITO R. MUTUC
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1962). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 14
REMOVING MR. LUIS A. BACOSA FROM OFFICE AS JUSTICE
OF THE PEACE OF CORON, PALAWAN.

Mr. Luis A. Bacosa, justice of the peace of Coron, Palawan, is charged in four administrative cases (Nos. 3, 4, 13 and 14) with gross ignorance of the law, incompetence, unethical practice, grave abuse of authority, illegal detention, threats, etc., allegedly committed in his present capacity and as acting justice of the peace of Busuanga, same province. The charges were investigated by the district judge.

Case No. 3.

This arose from Criminal Cases Nos. 31 and 32 of the justice of the peace court of Busuanga wherein Jose Libarra and Gonzalo Aranas were respectively accused of violating Section 2751 (c) of the Revised Administrative Code, as amended by Commonwealth Act No. 447, for destruction of public forests. On July 26, 1955, both accused pleaded guilty upon arraignment, and respondent rendered judgments verbally in open court sentencing each of them to one-month imprisonment, with fine and subsidiary imprisonment in case of insolvency, plus costs. Defendants were committed to the custody of the chief of police who entered that fact in his blotter, and they immediately began serving their sentence.

On August 2, 1955, respondent wrote the Municipal Mayor of Busuanga (Exh. E) that he had erred in deciding said cases because the defendants should have been penalized for destruction of timberlands under Section 2751 (a) of the Revised Administrative Code and sentenced to imprisonment for two months instead of one month as previously imposed in his verbal decisions. Attached to the letter were his amended decisions imposing two months' imprisonment on each defendant.

Respondent admitted the above facts but explained that he had to modify his decisions after discovering the error.

It is patent from the above that respondent acted illegally and showed gross ignorance of the law in amending his decisions in those criminal cases by increasing the penalties imposed on the accused after they had begun serving their sentence. Granting that there was a mistake in charging the offense and in imposing the penalties, respondent should have known the fundamental rule that a court cannot alter or amend its decision in a criminal case after it has become final. Section 7 of Rule 116 of the Rules of Court is clear to the effect that a judgment of conviction may be modified or set aside only before the judgment has become final, and that a judgment in a criminal case becomes final when the sentence has been partially or totally served or satisfied.

Case No. 4.

Respondent is charged with incompetence and unethical practice arising from Civil Case No. 37 of his court in Coron. It appears that after the trial respondent rendered a decision (Exh. B) awarding a sum of money in favor of the plaintiff. The defendant discovered a gross mistake in the addition of items and moved for reconsideration (Exh. C) to correct the mistake. Realizing his mistake, respondent rendered another decision (Exh. D) but again committed another error in the addition of items to the

prejudice of the plaintiff. The latter called respondent's attention, and the decision was finally corrected (Exh. E), this time awarding the sum of ₱149.43 in favor of the plaintiff.

There is no doubt that respondent was inexcusably negligent in preparing his decision in said civil case. With a little more care on his part, he could have avoided the mistakes and thus saved himself from the embarrassing position of having to admit his errors twice and to amend his decision as many times.

Regarding the charge of unethical practice, it appears that after the decision had become final, the respondent sent two notes (Exhs. G and H) in the same Civil Case No. 37. The first note was a request to the operations manager of the defendant company for a conference, and the second was a request to the attorney of the firm to see to it that the judgment was satisfied so as to avoid the issuance of a formal writ of execution. Both notes were in the nature of informal personal requests, not official communications. While the rule is that judges must never show any undue interest in cases tried by them, I see no appreciable breach of ethics nor partiality in respondent's actuation in the light of his explanation that his only purpose was to make it possible for the judgment to be satisfied without the necessity of issuing a formal writ of execution. At any rate, he should have avoided being misunderstood as evincing undue zeal in the satisfaction of his judgment.

Cases Nos. 13 and 14.

These two cases were the offshoot of a criminal case for usurpation filed in the justice of the peace court of Busuanga and tried by respondent as acting justice of the peace thereof.

The usurpation case was filed by the chief of police upon the complaint of Antonino Benobian against several persons (complainants in Adm. Case No. 13), claiming that the accused constructed their houses and a barrio club house in his land without his permission. All the accused posted property bond in the amount of ₱200 each for their temporary liberty. The case was called for trial on March 23, 1959, by the respondent who proposed amicable settlement and tried to convince the accused to pay the complaining witness a monthly rental of ₱1 for each lot occupied by them and a monthly rental of ₱10 for the area occupied by the club house. Because they did not want to recognize Benobian's ownership of the land, the accused refused to sign the proposed agreement, whereupon respondent became angry and exerted pressure upon the accused who steadfastly refused to sign the agreement.

On their way home they were overtaken by two policemen and were brought back to the municipal building at respondent's behest. They were confronted by the respondent in an ugly mood, branded as "hot-headed and communists" and jailed that night of March 23, 1959. As all the accused could not be accommodated in the municipal jail, some slept in the municipal building under guard. They were not given food and were released about eight o'clock in the morning of the following day.

These facts are fully established by the testimony of the complainants, Fernando Banotan, Constancio Abena, Cieleto Escultor, Agustin Caballes and Ceferino Bitoy, and corroborated by the testimony of Francisco Agnes, Mariano Tamayo and Florencio Agnes.

Respondent did not testify in his defense but relied solely on the testimony of Chief of Police Gil Bacaltos of Busuanga who swore that the complainants were not jailed on the night of March 23, 1959, but voluntarily stayed in the municipal building because they did not have any other place in the town to stay that night. Respondent's theory, which he tried to establish through the declaration of the chief of police, was that when the parties in the criminal case failed to arrive at any compromise in the afternoon of March 23, 1959, he decided to continue the hearing of the case until the evening of that day but because he became indisposed and could not continue with the trial, the complainants who had no place to sleep that night voluntarily stayed in the municipal jail.

I agree with the investigating judge that the testimony of the chief of police is too flimsy and incredible to overthrow the clear and convincing testimony of the several complainants and their corroborating witnesses. The complainants testified that they have relatives and friends in the town where they could have spent the night and that they slept in the municipal jail against their will because respondent had ordered them detained.

The complaint of Tiburcio Barracoso in Administrative Case No. 14 stemmed from respondent's refusal to allow the former to appear as counsel for the accused in the criminal case for usurpation on the ground that Barracoso was not a lawyer. It was shown, however, that on several occasions respondent had allowed persons who were not lawyers to appear as counsel in his court. As a matter of fact, complainant Barracoso was one of them. Rule 127, Section 31, of the Rules of Court explicitly provides that "in the court of a justice of the peace a party may conduct his litigation in person, with the aid of an agent or friend appointed by him for that purpose, or with the aid of an attorney."

The established facts unerringly point to the conclusion that respondent, enraged by the stout refusal of the complainants to accede to his proposal for the settlement of the criminal case under his terms, ordered their arrest and detention in the municipal jail on the night of March 23, 1959, and even tried to deprive them of their right to legal assistance by disauthorizing Tiburcio Barracoso to appear for them during the trial.

Ours is a government of laws and not of men, and this principle should be observed with utmost zeal by officials who are privileged to sit in judgment over their fellow men, like respondent justice of the peace. Apart from ignoring this cardinal principle, the respondent has shown sheer incompetence and utter want of dedication to duty, inimical to the public service.

In view of all the foregoing, I am constrained to take drastic action against the respondent.

WHEREFORE, Mr. Luis A. Bacosa is hereby removed from office as justice of the peace of Coron, Palawan.

Done in the City of Manila, this 3rd day of April, in the year of Our Lord, nineteen hundred and sixty-two, and of the Independence of the Philippines, the sixteenth.

(Sgd.) DIOSDADO MACAPAGAL

By the President:

(Sgd.) AMELITO R. MUTUC

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1962). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 15
AUTHORIZING THE REINSURANCE COMPANY OF THE ORIENT, INC.,
TO BECOME A SURETY UPON OFFICIAL RECOGNIZANCES, STIPULATIONS,
BONDS AND UNDERTAKINGS.

WHEREAS, Section 1 of Act No. 536, as amended by Act No. 2206, provides that whenever any recognizance, stipulation, bond or undertaking conditioned for the faithful performance of any duty or of any contract made with any public authority, national, provincial, municipal or otherwise, or of any undertaking, or for doing or refraining from doing anything in such recognizance, stipulation, bond or undertaking specified is, by the laws of the Philippines or by the regulations or resolutions of any public authority therein, required or permitted to be given with one surety or with two or more sureties, the execution of the same or the guaranteeing of the performance of the condition thereof shall be sufficient when executed or guaranteed solely by any corporation organized under the laws of the Philippines, having power to guarantee the fidelity of persons holding positions of public or private trust and to execute and guarantee bonds or undertakings in judicial proceedings and to agree to the faithful performance of any contract or undertaking made with any public authority;

WHEREAS, said section further provides that no head of department, court, judge, officer, board of body, whether executive, legislative or judicial, shall approve or accept any corporation as surety on any recognizance, stipulation, bond, contract or undertaking unless such corporation has been authorized to do business in the Philippines in accordance with the provisions of said Act No. 536, as amended, nor unless such corporation has, by contract with the Government of the Philippines, been authorized to become a surety upon official recognizances, stipulations, bonds and undertakings; and

WHEREAS, the REINSURANCE COMPANY OF THE ORIENT, INC., is a domestic corporation organized and existing under the laws of the Republic of the Philippines and fulfills the conditions prescribed by said Act No. 536, as amended.

NOW, THEREFORE, I, DIOSDADO MACAPAGAL, President of the Philippines, by virtue of the powers vested in me by law, do hereby authorize the REINSURANCE COMPANY OF THE ORIENT, INC., to become a surety upon official recognizances, stipulations, bonds and undertakings in such manner and under such conditions as are provided by law, subject to the condition that the total amount of immigration bonds that it may issue shall not, at any time, exceed its admitted assets.

Done in the City of Manila, this 26th day of April, in the year of Our Lord, nineteen hundred and sixty-two, and of the Independence of the Philippines, the sixteenth.

(Sgd.) DIOSDADO MACAPAGAL

By the President:
(Sgd.) AMELITO R. MUTUC
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1962). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 16
CREATING A NATIONAL COMMITTEE TO TAKE CHARGE OF THE CELEBRATION
OF PHILIPPINE INDEPENDENCE DAY ON JUNE 12, 1962.

Pursuant to the powers vested in me by law, I, DIOSDADO MACAPAGAL, President of the Philippines, do hereby create a National Committee to take charge of the celebration of Philippine Independence Day on June 12, 1962, as declared in Proclamation No. 28 dated May 12, 1962.

The Committee shall be composed of the following:

The Secretary of Education	Chairman
The Secretary of National Defense	Vice-Chairman
The Secretary of Public Works and Communications	Member
The Secretary of Labor	"
The Secretary of Health	"
The Administrator of Economic Coordination	"
The Commissioner of Tourism	"
The Malacañang Press Secretary	"
The Commissioner of the Budget	"
The City Mayor of Manila	"
The President, Philippine Association of Colleges and Universities (PACU)	"
The President, Veterans Federation of the Philippines	"
The President, Chamber of Commerce of the Philippines	"
The President, Philippine Chamber of Industries	"
The President, Chamber of Agriculture and Natural Resources	"
The President, Manila Rotary Club	"
The President, Manila Junior Chamber of Commerce	"
The President, Lions Club of Manila	"
The President, National Press Club of the Philippines	"
The President, Civic Assembly of Women of the Philippines	"
The Presidential Protocol Officer	Member-Secretary

The Committee shall meet at the call of the Chairman and, for the purpose of discharging its functions, may create such sub-committees as may be necessary.

Done in the City of Manila, this 14th day of May, in the year of Our Lord, nineteen hundred and sixty-two, and of the Independence of the Philippines, the sixteenth.

(Sgd.) DIOSDADO MACAPAGAL

By the President:
(Sgd.) AMELITO R. MUTUC
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1962). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACANANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 17
REMOVING MESSRS. JOSE V. RODRIGUEZ, RAMON F. ENRIQUEZ
AND MAXIMO CALALANG AS CHAIRMAN AND MEMBERS OF THE BOARD
OF DIRECTORS OF THE NATIONAL RICE AND CORN CORPORATION.

This is an administrative case against Dr. Jose V. Rodriguez, Gen. Ramon F. Enriquez, Atty. Maximo Calalang and Gov. Conrado F. Estrella, the first as Chairman of the Board of Directors and Acting General Manager of the National Rice and Corn Corporation (NARIC) and the rest as members of the Board of Directors of said corporation. They are charged with wilful violations of (1) Administrative Order No. 290 dated February 3, 1959, of the President, requiring government contracts involving ₱10,000 or more to be submitted to the Auditor General for review before they are perfected and consummated, (2) the presidential directive of November 10, 1961, that the NARIC purchase rice at ₱10 per cavan direct from farmers, (3) General Circular No. 24 dated September 25, 1958, of the Office of Economic Coordination which requires approval by said office of all transactions of government-owned or controlled corporations worth ₱100,000 or more, and (4) conditions imposed by the Philippine National Bank in the grant of ₱10 million overdraft line to the NARIC, and with (5) gross inefficiency in the discharge of their duties, in connection with the purchase and disposal of NARIC palay and rice.

The charges were investigated by Special Investigator I. Santos Diaz, who submitted an exhaustive report thereon as well as on the administration of affairs in the NARIC. During the investigation, the defense reiterated its petition for the dismissal of the charges as against respondent Estrella, as he was no longer a member of the Board of Directors when the complaint was filed on February 10, 1962, his term having expired the day previous. Resolution on the motion was held in abeyance, and the case was heard as to the remaining respondents, Messrs. Rodriguez, Enriquez and Calalang.

The evidence for the prosecution, which consists solely of official records including copies of the orders and directives allegedly violated by respondents, shows:

That the NARIC, through respondent Rodriguez as Acting General Manager and Board Chairman, entered into 16 deferred palay purchase contracts (Exhs. D to F and H to T) with Herminio Royeca and 15 other seller-contractors whereby it bound itself to buy palay at ₱11.75 per cavan with a total quantity of 770,000 cavans and a total value of ₱9,047,500 (the highest seller-contractor for 120,000 cavans of palay valued at ₱1,410,000 and the lowest for 30,000 cavans valued at ₱352,500);

That said contracts were confirmed by the NARIC Board of Directors composed of respondents in accordance with Resolutions Nos. 2364 and 2365 dated November 21, 1961 (Exhs. D-1 and E- 1), No. 2367 dated November 22, 1961 (Exh. G), No. 2377 dated December 8, 1961 (Exh. O-3), and No. 2392 dated December 28, 1961 (Exh. T-1);

That for each contract, respondent Rodriguez sent to the NARIC branch managers concerned instructions to accept deliveries of palay from said seller-contractors and make corresponding payments

for the actual value of palay delivered and deliveries were effected by and payments made to contractor Royeca and ten others, as follows:

<u>NAMES</u>	<u>QUANTITY DELIVERED</u>	<u>AMOUNT PAID</u>
1. Herminio P. Royeca	120,000 cavans	₱1,410,000.00
2. Magdalena L. Santos	32,770 "	393,759.89
3. Carvick Milling Co.	4,151 "	48,774.75
4. Felizardo Lipana	10,082 "	118,473.20
5. Clara Cruz	3,357 "	39,454.80
6. Purificacion Baldueza	6,850 "	80,493.58
7. Artemio Reyes	4,125 "	48,468.75
8. Felicidad R. Caliliw	1,658 "	19,482.81
9. Petra Calara	5,041 "	59,241.39
10. Luz Barcelona	4,172 "	49,026.22
11. Castillo A. Santos	12,885 "	151,398.75

That despite the reminders of the OEC Acting Deputy Administrator and the NARIC Auditor dated December 7 and 12, 1961, respectively, addressed to the NARIC Chairman-Acting General Manager (Exhs. GG, HH), not to allow payment for deliveries made until the contracts had been approved by the OEC and the GAO, respondents continued implementing the deferred purchase contracts by accepting deliveries of palay from the seller-contractors and tendering payments therefor;

That likewise the NARIC, through respondent Rodriguez, executed seven rice-palay barter contracts (Exh. U to Z and AA) with Igmedio de Castro and six others binding itself to give its stock of rice on loan subject to replenishment with palay on or before March 31, 1962, covering a total quantity of 49,500 cavans of rice with a total value of ₱1,262,000 (five contracts being for at least 5,000 cavans of rice valued at ₱127,500 upwards and two for at least 2,000 cavans valued at ₱51,000 and ₱63,750);

That these rice-palay barter contracts were confirmed by the NARIC Board of Directors under Resolutions No. 2405 dated January 19, 1962 (Exh. U-1), No. 2378 dated December 8, 1961 (Exh. V-1), No. 2382 dated December 12, 1961 (Exh. Y-1), No. 2400 dated January 12, 1962 (Exh. Z-1), and No. 2388 dated December 27, 1961 (Exh. AA-1);

That the contract for deferred palay purchase and rice-palay barter have not been approved by the GAO or the OEC pursuant to Administrative Order No. 290 (Exh. A) and OEC General Circular No. 24 (Exh. C) as certified by said offices (Exhs. BB-2, CC); and

That the Philippine National Bank (PNB) imposed certain conditions in approving the application of the NARIC for an overdraft line of ₱10 million among them:

“That as soon as the said palay or rice is sold, the sales proceeds thereof shall be turned over immediately to the Bank to liquidate the drawings against the line availed of;

“x x x this line shall be self-liquidating in nature and may be cancelled by the Bank at any time.”

which rendered the rice-palay barter contracts improper.

The defense presented both testimonial and documentary evidence tending to establish the following:

Since the promulgation of Administrative Order No. 290 and OEC General Circular No. 24, only the private contracting party was required to sign the contract, after which it was submitted to the Auditor General and the Office of Economic Coordination for processing. The NARIC General Manager signed the contract only after it had been favorably acted upon. Respondent Rodriguez' signing of the deferred palay purchase contracts prior to their submission to the GAO and the OEC for approval was justified in view of the provision of Section 14 thereof that said contracts shall not be binding and effective until after compliance with Administrative Order No. 290. The absence of similar provision in the rice-palay barter contracts was due to the urgent need for their execution, as the NARIC stock of rice was in a state of deterioration. Approval by the GAO and the OEC, which normally required two weeks, could not be awaited, and respondent Rodriguez assumed full responsibility on the matter.

Upon receipt of the presidential directive of November 10, 1961 (Exh. B), the NARIC circularized all its branch managers to purchase palay at ₱10 per cavan direct from farmers, but they reported that such procurement was unrealistic. Respondent Rodriguez reported to the President in his letter of December 21, 1961 (Exh. 10), the impossibility of procuring palay direct from farmers at ₱10 per cavan, as the offeres had fixed their price at ₱11.75 per cavan. In the meantime, to stockpile palay as reserve for emergency, which was the main objective of the ₱10 million PNB credit line, NARIC executed the 16 deferred palay purchase contracts and submitted them to the GAO and the OEC. Pending approval by these offices of said contracts, respondent Rodriguez authorized the purchase of palay from middlemen-contractors in lots of 825 cavans each so that payment for each delivery would not exceed ₱10,000. Such delivery was considered as part of the normal trading operations of the NARIC and not as implementation of the contracts, and since its value did not exceed ₱10,000, the same did not require the approval of the Auditor General.

The defense tried to justify the purchase of palay from middlemen at ₱11.75 per cavan instead of buying direct from farmers at ₱10 as required in the presidential directive because the farmers were not willing to sell at that price and the deferred purchase at ₱11.75 per cavan, free from all expenses like cost of hauling, containers for palay, insurance, warehousing and drying, handling, etc., was more advantageous to the NARIC than direct purchase from farmers at ₱10 per cavan with the NARIC defraying the incidental expenses, as it thereby saved ₱1.67 per bag of clean rice.

Execution of the rice-palay barter contracts was also justified by the fact that at the time Acting General Manager Rodriguez was faced with a dilemma as to how to dispose of the big quantity of NARIC stocks bought from Mindanao which were in a state of deterioration because of their high moisture content and the delay in transit. Since harvest was then starting in Luzon, to sell them on cash basis would mean a loss of between ₱3 and ₱3.50 per cavan for the NARIC, so respondent Rodriguez decided to give the rice on credit subject to replenishment in palay form later at the ratio of two cavans of palay to each cavan of clean rice on or before March 31, 1962.

The rice-palay barter contracts were claimed to be not violative of the conditions of the Philippine National Bank in granting the NARIC a ₱10 million overdraft line, as one of said conditions was that no loss shall be incurred by the NARIC; and it was precisely to avoid a loss of ₱3 to ₱3.50 per cavan that the NARIC Management decided to push through the rice-palay barter deals.

The defense claimed that the purchases from the seller-contractors under the deferred system were done under NARIC's normal trading operations.

From the evidence adduced during the investigation, it appears that the administrative charges against the respondents stemmed from their alleged execution and implementation of the deferred palay purchase contracts and rice-palay barter contracts claimed to be in violation of existing rules and regulations issued by higher authorities.

Administrative Order No. 290 dated February 3, 1959, of the President requires “all contracts of whatever nature involving ₱10,000 or more to be entered into by all bureaus and offices, agencies and instrumentalities of the National Government and those of the government-owned and controlled corporations shall be submitted to the Auditor General for examination and review before the same are perfected and/or consummated.” General Circular No. 24 dated September 25, 1958, of the OEC, implementing the directives of the President of January 21, and August 18, 1954, directs submission to and approval by the OEC of corporate transactions of a major character, that is where they involve ₱100,000 or more.

It is undisputed that all the 16 deferred palay purchase contracts and five of the rice-palay barter contracts each involved an amount exceeding ₱100,000 and therefore required the approval of the Auditor General under Administrative Order No. 290 and the Administrator of Economic Coordination under OEC General Circular No. 24. The two other rice-palay barter contracts involved more than ₱10,000 each, hence they needed the approval of the Auditor General alone. All these contracts were confirmed by the NARIC Board of Directors composed of the respondents. Although respondents presented evidence to show that they had submitted the above contracts to the GAO and the OEC, they did not contest the fact that said offices had not approved said contracts. They also admitted that deliveries of palay were made by the seller-contractors who were fully paid for said deliveries. It seems apparent therefore that Administrative Order No. 290 and OEC Circular No. 24 were violated in these transactions, as the contracts were executed, perfected and consummated before the requisite review and approval by the GAO and the OEC.

The respondents, however, insist that they have not violated said administrative order and circular, claiming that they have not taken steps to implement any of the deferred palay purchase contracts, as the deliveries of palay made to the NARIC by the sellers were not in consideration of the contracts but under NARIC’s trading operations and that approval by the GAO and the OEC was not required, since the deliveries were in lots of 825 cavans each lot with a value of less than ₱10,000 each delivery. In support of their contention, respondents refer to the letters of respondent Rodriguez to the branch managers where the following instructions appear:

“Pending approval of the contract which Mr. Royeca has signed, by the OEC and GAO, you are authorized to accept from Mr. Royeca palay deliveries in lots of not more than 825 cavans each lot. These deliveries shall be considered as made under trading operations in the meantime that the contract is pending approval by the GAO and the OEC. You are likewise authorized to pay to Mr. Royeca the value of palay actually delivered by him at ₱11.75 per cavan.”

Far from strengthening the position of the defense, the above-quoted instructions of respondent Rodriguez betray a clear circumvention of Administrative Order No. 290, to obviate the requirement for the approval of the deferred palay purchase contracts by the GAO and the OEC. That these were not ordinary trading operations but implementation of the respective contracts is best shown by the case of Herminio Royeca’s contract with the NARIC, the forerunner of deferred palay purchase contracts. Under his contract Royeca was bound to deliver 120,000 cavans of palay to the NARIC valued at ₱1,410,000. He actually delivered 120,000 cavans and was paid ₱1,410,000. If, as claimed, the NARIC was then buying under normal trading operations, why then did they have to buy from Royeca 120,000 cavans and pay him ₱1,410,000, the same quantity and value stipulated in his contract with the NARIC? This of course could not be a mere coincidence. Moreover, it is hard to explain why the NARIC chose to buy palay, under the so-called normal trading operations, from the

deferred palay contractors only and not from a third party with no deferred purchase contract.

Even the NARIC auditor, a defense witness, categorically stated that the deliveries by the contractors of palay in lots of 825 cavans per lot with a value of less than ₱10,000 each delivery were implementations of their respective contracts. The very minutes of the special meeting of the NARIC Board of Directors on December 8, 1961 (Exh. 29), excerpts from which are quoted below, confirm such implementation and belie respondents' claim to the contrary:

“#5 MANAGEMENT MAY IMPLEMENT DEFERRED CONTRACTS.

“Brought up for consideration next was the memorandum dated December 8, 1961, of the Assistant General Manager, requesting definite instructions regarding implementation of other contracts of deferred purchase already approved, and for which requisite documents are now being finalized, etc.

“X X X X X X X X

“Atty. Quibranza also informed that in the deferred contracts with Herminio Royeca, Carvick Milling Co., Mrs. Magdalena Santos, the Management had made partial implementation of the contracts confirmed by the Board.

“The Board decided that Management may implement the other contracts or deferred purchase in the same manner as the other deferred contracts.”

It is also undisputed that five of the rice-palay barter contracts were implemented by the respondents, the NARIC stocks of rice having been given and released as loan to the contractors subject to replenishment with palay on or before March 31, 1962. Their justification for implementing the contracts without waiting for the approval of the GAO and the OEC that the stocks of rice was in a state of deterioration, necessitating their immediate disposal, is not satisfactory. On the assumption that such conditions existed, the proper course that should have been taken was to follow up the contracts with the GAO and the OEC which undoubtedly would not have withheld their assent therefrom under the circumstances. This is what is expected of government officials who desire to discharge their duties in accordance with existing policies and regulations laid down by higher authorities to follow.

Even on the assumption that there was no implementation at all of these contracts for deferred palay purchase and rice-palay barter, still there was a violation of Administrative Order No. 290. It requires all contracts to be entered into by government-owned corporations, under the conditions stated therein, to be reviewed and approved by the GAO before they are executed and entered into.

In entering into the 16 deferred palay purchase contracts with middlemen at the price of ₱11.75 per cavan of palay, respondents openly violated the presidential directive of November 16, 1961 (Exh. B), which required the NARIC to purchase “palay directly from farmers at a price of ten pesos (₱10.00) a cavan chargeable against the ₱10 million overdraft line approved by the Board of Directors of the Philippine National Bank.” If indeed the farmers refused to sell directly to the NARIC at ₱10 per cavan and it was more beneficial to purchase from middlemen palay at ₱11.75 per cavan without incidental expenses for the NARIC, respondents should have first secured the presidential approval of their contemplated action instead of going ahead with it in their own discretion and later securing said approval. For meritorious reasons, amendment would have been proper, as in fact the President issued an amended directive dated December 26, 1961 (Exh. 3), authorizing the NARIC to purchase palay at ₱11.75 per cavan from farmers and Filipino suppliers under the quedan system. But then this amendment was made after the 16 deferred purchase contracts had already been executed by the NARIC and it did not condone the violations already committed by the respondents.

One of the PNB conditions for the granting of the ₱10 million credit line to the NARIC was “that as soon as the said palay or rice [purchased under the PNB loan] is sold, the sale proceeds thereof shall be turned over immediately to the Bank to liquidate the drawings against the line availed of.” The NARIC was therefore under obligation to sell the staple and pay the PNB from the proceeds of the sale. Hence, respondents had no right to give the NARIC stocks for loan on credit, subject to replenishment in four months. The condition imposed by the PNB was to insure the earliest liquidation of the loan.

The charge against the respondents of gross inefficiency is a necessary consequence of their wilful violation and utter disregard of the aforementioned administrative order, presidential directive and general circular. As the top officials of the NARIC, they were expected to make the necessary steps to stop or avoid violations of the policies and regulations laid down by higher authorities. They not only failed to do this. They were the ones who violated the same.

In view of the foregoing, I find the respondents guilty of the charges. As respondent Rodriguez was relieved as Acting General Manager of the NARIC on January 26, 1962, by virtue of the appointment to said position of Mr. Jose Y. Feliciano, and as respondent Estrella ceased in office by the termination of his term on February 9, 1962, they are no longer subject to administrative discipline in their capacity as Acting General Manager and Board Member of the NARIC. Considering the seriousness of the irregularities committed by the respondents for violating and circumventing superior orders and regulations issued to promote and safeguard the public interest, I am constrained to take drastic action against those still connected with the NARIC.

Wherefore, Messrs. Jose V. Rodriguez, Ramon Enriquez and Maximo Calalang are hereby removed from office, the first as Chairman and the other two members of the Board of Directors of the NARIC, effective as of the date of their preventive suspension on January 25, 1962, with forfeiture of allowances and/or benefits, if any, to which they might have been otherwise entitled.

Done in the City of Manila, this 11th day of June, in the year of Our Lord, nineteen hundred and sixty-two, and of the Independence of the Philippines, the sixteenth.

(Sgd.) DIOSDADO MACAPAGAL

By the President:
(Sgd.) AMELITO R. MUTUC
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1962). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 18
CREATING A NATIONAL COMMITTEE TO TAKE CHARGE OF THE OBSERVANCE
OF PHILIPPINE-AMERICAN FRIENDSHIP.

Pursuant to the powers vested in me by law, I, DIOSDADO MACAPAGAL, President of the Philippines, do hereby create a National Committee to take charge of the observance of July 4, 1962, in the best traditions of Philippine-American friendship.

The Committee shall be composed of the following:

The Secretary of Education	Chairman
The Secretary of National Defense	Vice-Chairman
The Secretary of Public Works and Communications	Member
The Undersecretary of Foreign Affairs	Member
The Presidential Protocol Officer	Member-Secretary

The Committee shall meet at the call of the Chairman and, for the purpose of discharging its functions, may create such sub-committees as may be necessary.

Done in the City of Manila, this 28th day of June, in the year of Our Lord, nineteen hundred and sixty-two.

(Sgd.) DIOSDADO MACAPAGAL

By the President:
(Sgd.) AMELITO R. MUTUC
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1962). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 19
DIRECTING THE DEPORTATION OF HARRY S. STONEHILL AND ROBERT P. BROOKS,
PLACING KARL BECK AND JOHN J. BROOKS UNDER PROBATION FOR TWO YEARS
AND OTHER ORDERS.

This order has reference to the Deportation Cases No. R-953 and R-955 commenced on March 3, 1962, before the Deportation Board against Messrs. Harry S. Stonehill, Robert P. Brooks, John J. Brooks and Karl Beck, who have been charged with corrupting public officials, among other imputations, and to the mention in the documents seized as evidence of the names of persons formerly or presently occupying positions in the three branches of the Government.

The respondents were charged with (1) having defrauded the Government through violations of Central Bank Laws, Internal Revenue Laws and Customs Laws and (2) having committed acts inimical to the interest and security of the State effected through influence peddling and/or corruption of public officials.

After a series of frequently interrupted hearings in which the respondents were given clear due process, they filed on August 2, 1962, a verified petition before the Deportation Board stating that “respondents Harry S. Stonehill and Robert P. Brooks are willing to voluntarily depart immediately and are no longer contesting the proceeding (against them).” Acting upon this verified petition which was submitted by the respondents in open hearing, the Deportation Board recommended to the President that respondents Harry S. Stonehill and Robert P. Brooks be deported and that respondents Karl Beck and John J. Brooks be placed on probation for two years.

Considering the evidence presented before the Deportation Board, evidence which stands uncontroverted in view of respondents’ implied waiver of their right to present their evidence, as well as a report of the Secretary of Justice, it is found that there is sufficient basis for the following findings:

- (1) That respondents Stonehill and Robert P. Brooks had established a network of corruption reaching into practically every important office of the Government.
- (2) That respondents Harry S. Stonehill and Robert P. Brooks had been engaged in a conspiracy to gain business ascendancy through economic sabotage, blackmail and other illegal means.

Exhibit A: A memorandum dated February 27, 1962, on a proposed “economic intelligence and counter-intelligence office” to be called Manila Press Service, whose staff would be utilized to obtain, among other things, “documents in government and private offices . . . under the guise of press freedom” and “advance information on policies of sensitive government offices, e. g., the Central Bank, etc.” On the upper part of this memorandum is Stonehill’s handwritten note of approval (Exhibit A-1) addressed to Bob (Robert P. Brooks) as follows: “I think it’s an excellent idea and should be done earliest.”

Exhibit C: A letter dated January 3, 1962, of Stonehill to Major Vernon S. Prickett proposing that the latter manage an office in the Philippines for “business espionage, counter-espionage and business sabotage” and suggesting that Prickett make studies on “espionage and sabotage.”

Testimony of NBI Director Lukban to the effect that there were found in the hideout of Stonehill and Robert P. Brooks in the former Cuban Embassy electronic gadgets and telephone tapping apparatus. (Hearing on March 5, 1962. TSN pp. 34-35.)

(3) That above respondents had attempted to use pressure upon the justices of the Supreme Court in order to obtain a decision favorable to them, a reprehensible scheme to subvert the due course of justice in the highest tribunal of the land.

Exhibit B: A letter of Stonehill to Mr. Jose Nable dated February 15, 1962, adverting to the tobacco importation case then pending before the Supreme Court and underscoring the need to influence the justices by one means or another; for which purpose, the letter had as an annex a dossier on 8 justices of the Supreme Court, including possible “pipelines” to said justices. (Exhibit B-1.)

(4) That the U.S. Tobacco Corporation, under the “overall supervision and control” of respondents Stonehill and Robert P. Brooks, had been engaged in large-scale illegal manufacture and sale of cigarettes which in the calendar year 1959 amounted to ₱29,973,941.00 and in the calendar year 1960, ₱37,201,567.50; and that in the pursuit of these illegal activities and in order to conceal the same, various acts of falsification of public and official documents had been committed at the instance of the said respondents. (Exhibits 32-A to 40-A and the testimony of Spielman thereon on April 10, 1962, TSN pp. 28 to 45, and on April 12, 1962, TSN pp. 28 to 125.)

(5) That Stonehill and Robert P. Brooks, during the time of control of foreign exchange when dollar transactions were subject to licensing by the Central Bank, engaged in illegal and unauthorized remittances of dollars abroad. (In particular see Exhibits J to K, Exhibit 41, Exhibit 58 and Spielman’s testimony [April 10, 1962, TSN pp. 45 to 48; April 11, 1962, TSN pp. 114 to 118] which show that during the period that dollar transactions were subject to licensing, the U.S. Tobacco Corporation, under the overall supervision and direct control of the said respondents, unlawfully remitted dollars amounting to ₱87,000.00 a month to the P. Lorillard Company of the United States as royalty payments for the manufacture of Old Gold cigarettes. Likewise, during the same period, said corporation effected payment of \$288,583.17 to a German corporation without license from the Central Bank. (Exhibits 47-A to 47-WW, Exhibit 56 and Spielman’s testimony, April 11, 1962, TSN pp. 54 to 114.)

(6) That under the direction of Stonehill and Robert P. Brooks, the U.S. Tobacco Corporation was able to import, without letter of credit, a slitting machine for cigarette paper, which machine was falsely declared as “thresher.” (Exhibits 44-A, 44-K and 44-R, taken in connection with Spielman’s testimony, TSN pp. 7 to 19, April 12, 1962.)

(7) That respondents Stonehill and Robert P. Brooks jointly owned, as they still do, the Julius Baer Bank in Switzerland, an investment which they never reported to the Central Bank as they were required to do. (See Exhibits 47-QQ to 47-WW and Exhibit 57.)

(8) That it was the standard operating procedure of Stonehill and Robert P. Brooks to purchase and hold assets abroad, as they have in fact been doing, through the instrumentalities of dummies in order to avoid tax liabilities. (See Exhibit 49 and Spielman’s testimony on April 11, 1962, TSN p. 124.)

(9) That a total of 39,941 cigarette paper bobbin cores had been found in the possession of the U.S. Tobacco Corporation under the control of respondents Stonehill and Robert P. Brooks, and that the cigarette paper on said cores was never reflected in the Official Register Book of said corporation as having been used in the manufacture of cigarettes. (Exhibits 60-A to 78-B.) The deducible inference is that the U.S. Tobacco Corporation, under the direction of the said respondents, illegally imported or acquired cigarette paper bobbins through misdeclaration or falsification, and used the same for illegal manufacture of cigarettes. And this inference is corroborated by the fact that 4,000 bobbins of cigarette paper, falsely labeled as school supplies and other items, were found and seized by agents of the Bureau of Internal Revenue in the warehouse of the Universal Trading Company, one of the corporations owned or controlled by the said respondents. (See Exhibits 65-A to 65-B; Exhibits 52-A to 52-C in relation to Spielman's testimony, TSN pp. 21-22, April 12, 1962.)

(10) That respondents Karl Beck and John J. Brooks, although merely receiving instructions from Stonehill and Robert P. Brooks, had knowledge of, and participation in, the illegal operations of the latter two.

On the basis of the foregoing, respondents Harry S. Stonehill and Robert P. Brooks, we are constrained to hold, are undesirable aliens whose presence in the Philippines constitutes an immediate and continuing menace to the peace, welfare and security of the country.

In connection with the charge of corrupting public officials, it is meet to recall that the unethical practices, which include a pattern of corrupting public officials, took place during a time of moral disintegration in the government service from the highest to the lowest echelon of officialdom. It may be observed that in the recent past, the corruption of public officials was forced upon many businessmen and citizens dealing with the graft-ridden government if they had to succeed or stay in business.

This situation has been changed by two factors: first, the removal of the main causes of influence peddling and graft like exchange control; and second, the determination of the present leadership to stamp out and destroy corruption. It may be justifiably said that under the present Administration, it would be neither necessary nor possible, in order to do legitimate business, to resort to and commit the scandalous acts committed by, and imputed to, Stonehill and his associates which appear to be a network of corruption, woven or sought to be woven over public officials and employees in various offices.

The cause of justice suggests that this consideration be taken into account in passing judgment upon those who were caught in the Stonehill network of corruption for what was necessary and possible in the immediate past can not now take place in the present era of moral reform. As in other fields of the current national endeavor, it is healthier and more constructive to be forward-looking in the rehabilitation of our systems and of the public morals of our officials.

It was in this light that in the case of the four Cabinet members whose names appeared in the Stonehill files as contained in the report of the Secretary of Justice, the resignations of two were accepted but the other two have been retained in the Cabinet and their names withheld. While all four are innocent of any act of corruption, in the case of the replaced Cabinet members, there were two relevant circumstances: first, the Stonehill files established a project by Stonehill to use the two Cabinet members to unduly obtain government favors and second, both had previous professional dealings with Stonehill. To avoid suspicion by the public not of what happened in the past but of what may in the future happen, it was best to accept the resignations of the two Cabinet members from their sensitive positions which had ample jurisdiction over the Stonehill business enterprises in accordance with the creed of the Administration that Cabinet members and other key public officials, like Caesar's wife, must not only be upright but above suspicion.

In the case of the other two Cabinet members who have been retained, there are, apart from their innocence, two pertinent circumstances: (1) there is no apparent Stonehill project that forms a pattern of utilizing them for gaining government favors and (2) they had no previous dealings with Stonehill. The appearance of their names in the Stonehill papers does not warrant action against them, since there is no plausible ground for suspicion in their actuations.

It appears that there is a pending criminal case against respondent Harry S. Stonehill, as well as other proceedings in which the respondents may be desired as witnesses. Should these litigations and proceedings have the effect of deferring the ouster of the respondents from the country? From the legal standpoint, it is the rule that the execution of an order of deportation takes precedence over other processes and proceedings of this Republic. A deportation order is a supreme and paramount act of State. It is predicated on the finding that an alien's continued presence in the country is inimical to its interest, welfare and safety. It is an act of self-preservation on a national scale. Accordingly, the interest of any other party in any pending criminal, civil or administrative proceedings must be deemed subordinate thereto and must yield to such overriding necessity. Thus, in *Tama Miyake v. U.S.* (257 Fed. Rep. 7.32), it was ruled that dismissal of criminal proceedings is not a condition precedent for the execution of an order of deportation.

The power to expel aliens vested in the President under Section 69 of the Revised Administrative Code is absolute and unlimited, it being an inherent and inalienable right of a sovereign nation. "The President in the exercise of his executive prerogative and as an act of State is vested with full power and discretion to issue orders of deportation." (*Ang Beng v. Commissioner of Immigration*, 53 O. G. [July 31, 1957] 4448.)

Significantly, there is nothing in Section 69 of the Revised Administrative Code which limits, restricts or curtails the President's power to deport undesirable aliens upon the ground that some criminal charges are pending against the person sought to be deported. It merely "prescribes the procedure necessary for the exercise of the power in order that the alien may have his 'day in court'" (*Tan Tong v. Deportation Board*, G. R. No. L-7680, April 30, 1955). Once the political department of the government or the official clothed with authority to deport has made a determination that an alien should be excluded, such determination "is necessarily conclusive upon all its departments and officers." (*Fong Yue Ting v. U.S.*, 149 U.S. 905.)

Indeed, it is a sound rule that the deportation of an undesirable alien may not be deferred by other proceedings, otherwise it would be easy to defeat the enforcement of a deportation order by the institution of other proceedings against him.

From the standpoint of the public interest, it is even more necessary that the departure of the respondents from the country should be given precedence over their appearance in other proceedings which will have the effect of prolonging their stay in the country. This is particularly so in proceedings where ample opportunity was available during the past weeks and months to require their appearance if indeed such appearance were essential in such proceedings.

In view of the fact that the respondents had engaged in the practice of bribing officials, the prolongation of their stay in the country would jeopardize the drive of the government against graft. The proven character and bent of mind of these individuals make them a continuing threat to the community's sense of values and moral tone. Their immediate deportation will effectively tend to reduce the baneful influence bred by their presence. Public interest demands the immediate deportation of the said respondents.

Moreover, this case, the pendency of which required the presence of the respondents in the country, has already harmed the public interest due to the excessive time and attention given by the government authorities and the public in the last five months, thereby diverting precious time and attention from

the grave and constructive problems of the country, including the proper implementation of the Nation's socio-economic development program which requires concentrated national attention. Many agencies of the government have been engaged for five months now in a massive effort to match the resources and maneuvers of Stonehill and Robert P. Brooks. Immediate expulsion of this tandem will release many government hands and make them available for pressing and vital national endeavors. The respondents having been found to be undesirable aliens, the highest interests of the country and the public welfare would be best served if the two respondents shall leave the country at the earliest time possible, subject to the continuation of other proceedings in their absence which are necessary to protect the government's interest and the rights of others.

The Administration is resolved, in its program of moral reform, calculated to improve the ethical conduct and practices of public officials, that where guilt is established, it should punish offenders. The Administration acted firmly in this case; replaced two Cabinet members and it now deports the main respondents. In our Administration, we have absolutely no interest except the interest of the people.

At the same time that we pursue relentlessly our moral program, it must not be forgotten that the main task of the Nation is still the more difficult endeavor of promoting economic growth that would improve the level of living of our people. In our drive against corruption, we seek to destroy the propensity to graft and to take punitive action, such as prosecution of criminal offenders and the forcible deportation of offending aliens who crave to remain in the country; but it would be a failure of duty to allow the case of these offenders and those who seek political profit therefrom to destroy instead the opportunity of our people to attain a richer life by diverting, through endless wranglings and recriminations, the national attention, energy and effort from the main job of promoting socio-economic development. In fine, we should tackle soberly, firmly and vigorously the curative task of bringing about redress for past misconduct and malfeasance; but we must not sacrifice and relegate to futility the constructive task of bringing about economic and social progress to our people which we ought to tackle with even more sobriety, firmness and vigor.

The Department of Justice merits commendation for its able work in this anti-graft case. This case is the beginning of a drive against networks of corruption of varying sizes thrown by some big businessmen around officials in various offices, against undue manipulations of certain foreigners in the economy in disregard of the public welfare and constituting abuse of the hospitality of the Nation, and against the special privilege enjoyed by some highly-placed business and political leaders, the existence of which blocks opportunities for the ordinary and honest citizens to attain progress. This drive will be pursued relentlessly until special privilege, graft and baneful manipulation in the economy are eradicated and wholesome conditions thereby created where the average citizens and the common people can avail of equal and fair opportunity for advancement. In cases of proven undesirable aliens, they shall be immediately ousted from the country, with proper measures to protect the public interest, and not be allowed to stay one day longer through any excuse such as that their presence is needed in other proceedings.

It is by establishing conditions under an atmosphere of equal and fair opportunity to all that the vast national resources of this country can be fully developed to produce benefits dispersed widely among the population and thereby give a chance to the common people to attain a better life.

The respondents have asked that the deportation of the two of them be "a voluntary deportation." This would enable them to return to this country. The evidence in the record of the Deportation Board and the public interest, however, require that the penalty that should be meted upon said respondents be not a "voluntary deportation" but a mandatory one based on established evidence and the coercive

authority of the law in order that they shall not again return to this country to injure its interest and welfare.

WHEREFORE, it is hereby ordered that:

1. Respondents Harry S. Stonehill and Robert P. Brooks be immediately arrested and deported by the first available transportation from the Philippines. The Commissioner of Immigration and other proper officials are ordered not to readmit them into the country for any reason whatsoever.

2. Respondents John J. Brooks and Karl Beck should be placed under probation for two years under conditions as will hereafter be imposed, any violation of which will be cause for their immediate deportation.

3. The tax liabilities and other liabilities of all the four respondents to the government shall continue to be due from them and shall be enforced against their property wherever the same may be found. Likewise, all other proceedings which lie without the presence of the deported respondents shall be allowed to continue or be commenced against the four respondents.

4. (a) The Secretary of Justice shall continue in such manner as he may determine the investigation of officials pertaining to the Executive Branch, whoever they may be and to whichever party they may pertain, whose names appear in the Stonehill papers in order to establish whether or not any of them has committed a criminal or administrative offense, and he shall in due course disclose the names of those against whom a criminal or administrative action lies and shall forthwith commence such action;

(b) He shall cooperate with the Senate and the House of Representatives or their committees in such investigation or action as these two bodies may take affecting their members in relation to the Stonehill files, for which purpose he shall continue to conduct such investigation as he may deem necessary and proper; and

(c) As regards other persons whose names appear in the Stonehill papers, he shall take such actions as justice and the cause of good government may require in accordance with law.

Done in the City of Manila, this 3rd day of August, in the year of Our Lord, nineteen hundred and sixty-two.

(Sgd.) DIOSDADO MACAPAGAL

By the President:

(Sgd.) SALVADOR L. MARIÑO

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1962). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 20

AMENDING ADMINISTRATIVE ORDER NO. 290 DATED FEBRUARY 3, 1959, ENTITLED
“REQUIRING ALL CONTRACTS TO BE ENTERED INTO BY ALL BUREAUS AND OFFICES,
AGENCIES AND INSTRUMENTALITIES OF THE NATIONAL GOVERNMENT, INCLUDING
THOSE OF ALL GOVERNMENT-OWNED OR CONTROLLED CORPORATIONS,
TO BE SUBMITTED TO THE AUDITOR GENERAL FOR REVIEW.”

By virtue of the powers vested in me by law, I, DIOSDADO MACAPAGAL, President of the Philippines, do hereby amend Administrative Order No. 290 dated February 3, 1959, by also excluding therefrom insurance and reinsurance contracts or transactions of the Government Service Insurance System.

Done in the City of Manila, this 30th day of August, in the year of Our Lord, nineteen hundred and sixty-two.

(Sgd.) DIOSDADO MACAPAGAL

By the President:
(Sgd.) SALVADOR L. MARIÑO
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1962). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 21
CREATING A PRESIDENTIAL COMMITTEE ON RELIEF AND REHABILITATION

In order to meet the urgent need for a more adequate and effective coordination of the activities of the different relief organizations and implementing agencies in connection with relief operations during disasters caused by typhoons, floods, fires, earthquakes and other natural calamities, as well as during emergency other than those caused by natural calamities, a Presidential Committee on Relief and Rehabilitation is hereby created to be composed of the following:

The Executive Secretary	Chairman
The Social Welfare Administrator	Vice-Chairman
The Secretary of National Defense	Member
The Secretary of Health	"
The Secretary of Public Works and Communications	"
The Secretary of Commerce and Industry	"
The Secretary of Agriculture and Natural Resources	"
The Manager, Philippine National Red Cross	"

The Committee is hereby authorized to create such sub-committees on the provincial, city and municipal level, as may be necessary, to implement its relief activities and assist in the performance of its duties and functions.

I – PRIMARY DUTIES

The primary duties of the Committee shall be as follows:

- (1) To provide first aid and immediate relief to victims of calamities.
- (2) To provide a program for the material reconstruction of the area damaged by the calamity and the economic rehabilitation of the victims from such funds and facilities as may be authorized by law.
- (3) To formulate long-range plans designed to minimize damage from calamities and to work out a blueprint for the effective dispensation of relief and rehabilitation goods to victims of calamities.

The relief and rehabilitation work should conform with the principle that immediate action be taken to save lives and health, prevent hunger and at the same time develop among the victims an attitude of self-reliance and fortitude.

II – AUTHORITY TO CALL UPON OTHER GOVERNMENT OFFICIALS

The Committee is hereby authorized to call upon officials of any department, bureau, office, agency or instrumentality of the government, including government-owned or controlled corporations, for such assistance as it may need in discharging its duties and functions.

III – KINDS OF RELIEF ASSISTANCE

For the guidance of the Presidential Committee on Relief and Rehabilitation in the performance of its functions, relief assistance is hereby classified into emergency and rehabilitative.

Emergency relief shall include the immediate distribution of food, water, clothing, medicine and other material assistance, as well as the provisions for emergency shelter, necessary transportation and adequate security.

Rehabilitative relief shall include the restitution and/or repair of roads, bridges, school buildings, dams, irrigation projects, waterworks, occupational equipment and private residences; improvement of the sanitary condition and health of the calamity-stricken area; introduction of sanitary measures; establishment of self-help projects; extension of medical care; slum clearance; and furnishing of seedlings to farmers, etc.

IV – SPECIFIC FUNCTIONS

The relief agency members shall perform the following specific functions:

A. – EMERGENCY

1. The Social Welfare Administrator shall

- (a) Conduct an on-the-spot survey to determine extent of damage and number of victims eligible for immediate assistance and relief;
 - (b) Refer cases of victims needing immediate medical care to nearby medical units;
 - (c) Effect immediate arrangement for emergency shelter;
 - (d) Distribute adequate relief in the form of foodstuffs and clothing;
 - (e) Dispatch an emergency relief team from the SWA Central Office to the disaster-stricken area with additional relief supplies when local SWA Units cannot cope adequately with the situation;
 - (f) Coordinate with local government officials and civic organizations in order to avoid duplication of services;
 - (g) Extend guidance, counselling and other special services to boost the morale of the victims and determine their other needs; and
 - (h) Prepare case records of victims, in close coordination with participating teams and agencies, to determine and insure the necessity of further rehabilitative services.
-

2. The Secretary of National Defense shall

- (a) Render immediate assistance to prevent loss of lives;
- (b) Conduct an on-the-spot survey to determine extent of damage and number of victims eligible for immediate assistance and relief;
- (c) Provide necessary transportation, security, emergency shelter, communication facilities; and
- (d) Extend assistance in the distribution of relief goods and supplies.

3. The Secretary of Health shall

- (a) Establish emergency stations for the purpose of rendering first aid treatment and other medical services to those who suffer injuries as a consequence of the calamity;
- (b) Prepare wounded or injured people for hospitalization in hospitals nearest to the site of the disaster; and
- (c) Assist in the distribution of emergency aid, such as medicine and other relief goods.

4. The Secretary of Public Works and Communications shall

- (a) Direct its field offices to mobilize all possible men and equipment;
- (b) Undertake works for the restoration of damaged or destroyed structures and other buildings;
- (c) Formulate plans for reconstruction of damaged public works; and
- (d) Cooperate with other government agencies and relief organizations.

5. The Secretary of Commerce and Industry shall

- (a) Adopt and carry out effective measures for the purpose of maintaining the normal level of prices of commodities in the calamity-stricken areas, as well as of preventing the possibility of hoarding such commodities for speculative purposes.

6. The Secretary of Agriculture and Natural Resources shall

- (a) Conduct a survey and investigation of the extent of damage to crops and livestock in the affected areas; and
- (b) Help the people, especially the farmers, save whatever crops and livestock that might have survived the calamity.

7. The Manager of the Philippine National Red Cross shall

- (a) Conduct on-the-spot survey of sufferers as basis for relief distribution;
 - (b) Effect immediately distribution of food and other basic necessities during emergency period immediately following the disaster;
 - (c) Locate sufferers in homes of friends, neighbors and relatives for emergency shelter, available public buildings to be used for this purpose;
 - (d) Render first aid treatment of disaster victims;
-

- (e) Assist sufferers in establishing contacts with relatives in other provinces; and
- (f) Coordinate with other agencies.

B. – REHABILITATIVE

1. The Social Welfare Administrator shall create local screening committees to review case records of all disaster victims and determine their eligibility for rehabilitative services, occupational equipment, building materials, etc.
2. The Secretary of National Defense shall extend rehabilitative services concerning planning, communications, transportation, legal assistance, construction, intelligence and such other measures as may adequately prevent hoarding of foodstuffs and spiralling of prices.
He shall help other agencies in the implementation of communication, legal assistance and construction requirements.
3. The Secretary of Health shall
 - (a) Establish emergency stations for the purpose of immunizing the residents in the affected area in order to prevent the occurrence or spread of epidemic; and
 - (b) Help maintain the sanitary conditions in the affected area to forestall the outbreak of diseases or epidemic.
4. The Secretary of Public Works and Communications shall assist in the reconstruction of community projects such as artesian wells, school buildings, community centers and other public structures, in the repair and installation of communication facilities, and in the reconstruction of damaged public works.
5. The Secretary of Agriculture and Natural Resources shall
 - (a) Help and guide the farmers where to secure seeds and plant materials as well as livestock with which to rehabilitate their farms;
 - (b) Help the people, especially the farmers, in the control of plant and animal pests and diseases; and
 - (c) Help the farmers in the solution of their various agricultural problems arising from a disaster.
6. The Secretary of Commerce and Industry, as Chairman of the sub-committee on Economic Rehabilitation, shall take care of providing a program for the economic rehabilitation of the victims from such funds and facilities as may be authorized by law, as well as formulate long-range plans designed to minimize damage from calamities and to work out a blueprint for the effective dispensation and use of rehabilitation goods to victims of calamities.

V – RULES AND REGULATIONS

The Committee is hereby authorized to adopt such rules and regulations on working procedures as may be necessary to carry out the aims, objectives and purposes of this order.

VI – REPORTS

At the completion of each relief work, the Committee shall render a report to the President, as well as an annual report which shall include summary of emergency measures, progress of rehabilitation and recommendations for necessary appropriations for the succeeding fiscal year.

VII – REPEALING CLAUSE

This Order supersedes Administrative Order No. 305 dated August 11, 1959, and all inconsistent rules and regulations.

Done in the City of Manila, this 30th day of August, in the year of Our Lord, nineteen hundred and sixty-two.

(Sgd.) DIOSDADO MACAPAGAL

By the President:
(Sgd.) SALVADOR L. MARIÑO
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1962). [*Administrative Order Nos.: 1 - 191*]. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 22
CREATING A COMMITTEE TO TAKE CHARGE OF ALL ARRANGEMENTS
CONNECTED WITH STATE VISITS.

By virtue of the powers vested in me by law, I, DIOSDADO MACAPAGAL, President of the Philippines, do hereby create a Committee to take charge of all arrangements connected with State Visits to the Philippines including their reception, stay and departure.

The Committee shall composed of the following:

The Honorable Alejandro Roces	
Secretary of Education	Chairman
The Honorable Rufino Hechanova	
Secretary of Commerce	Member
The Honorable Salvador P. Lopez	
Undersecretary of Foreign Affairs	Member
The Honorable Alberto de Joya	
Undersecretary of National Defense	Member
The Honorable Bernardino Abes	
Undersecretary of Labor	Member
Ambassador Librado Cayco	Member
Mr. Benigno Toda, Jr.	Member
Miss Conchita Sunico	Member
President, National Press Club	Member
A representative of the visitor's diplomatic mission or country	Member
Ambassador Manuel Zamora	Member-Secretary

The Committee shall be responsible for the planning, coordination and smooth execution of all arrangements that will be made in connection with the State Visits.

The Committee is hereby authorized to call upon any department, bureau, office, agency or instrumentality of the government, including government-owned or controlled corporations, for such assistance as it may need in discharging its duties and functions.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the Republic of the Philippines to be affixed.

Done in the City of Manila, this 17th day of September, in the year of Our Lord nineteen hundred and sixty-two.

(Sgd.) DIOSDADO MACAPAGAL

By the President:
(Sgd.) SALVADOR L. MARIÑO
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1962). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACANANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 23
CONSIDERING MR. ALBINO L. PIZARRO RESIGNED AND SEPARATED AS JUSTICE
OF THE PEACE OF TORRIJOS, MARINDUQUE.

This is an administrative case against Mr. Albino L. Pizarro, justice of the peace of Torrijos, Marinduque, for alleged dereliction of duty, arbitrariness, trespass to dwelling, etc., which was investigated by the District Judge.

The records establish the following:

1. In Criminal Case No. 297 of respondent's court Camilo Valenzuela was charged with the crime of multiple physical injuries. Respondent sent the records of the case to the Court of First Instance through the conductor of a bus plying between Torrijos and the provincial capital, whom he did not know. His defense was that he was not provided by the municipality with postage stamps. He was apprised of the loss but he did not reconstruct the records.

2. Francisco Roldan is the janitor of the municipal building of Torrijos. In the morning of January 20, 1958, he swept the rooms of the mayor, the municipal secretary and other offices. While he was cleaning respondent's room, he was called by the mayor to make "bandillos" in the streets of the town. When respondent arrived, he saw a pile of dirt below the railing separating the lawyer's table from the general public. Upon finding that the dirt was left by the janitor, he sent for him and, after an inquiry committed him to jail for 1 ½ hours. At the time that Roldan swept the floor there was still no court session, as neither the judge nor the parties had arrived.

3. On May 2, 1958, respondent subpoenaed the mayor and the members of the municipal council of Torrijos to appear before him on May 5, 1958, to show cause why they should not be punished for contempt of court for failing to provide the court with a clerk, copies of the Official Gazette and printed books. They appeared and made their explanation which was satisfactory to respondent.

From the foregoing it is evident that respondent is guilty of gross negligence in sending important records through a person whom he could not even identify. His explanation that he had no postage stamps is untenable. His act is aggravated by his failure to make immediate steps to reconstruct the records.

Respondent's incarceration of the janitor, Roldan, finds no justification in law because he was not guilty of direct contempt, for which he could be summarily committed to jail.

Although respondent's actuation in coercively haling the municipal officials to court for their failure to provide him with necessary office supplies and equipment finds support in law and jurisprudence, yet he could have obtained better results if he had proceeded with more tact in dealing with municipal authorities.

In view of the foregoing, I find respondent guilty of (1) gross negligence, for the loss of the records of Criminal Case No. 297 of his court and (2) arbitrariness, for committing the municipal janitor to prison for the latter's failure to clean respondent's courtroom.

Considering the seriousness of the irregularities committed by the respondent, which smack of sheer irresponsibility and high-handedness on his part, he is unfit to remain in the public service, particularly in the judiciary. I am therefore constrained to take drastic action against him.

Wherefore, Mr. Albino L. Pizarro is hereby considered resigned and separated as justice of the peace of Torrijos, Marinduque, effective upon receipt of a copy hereof.

Done in the City of Manila, this 17th day of September, in the year of Our Lord, nineteen hundred and sixty-two.

(Sgd.) DIOSDADO MACAPAGAL

By the President:

(Sgd.) SALVADOR L. MARIÑO

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1962). [*Administrative Order Nos.: 1 - 191*]. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 24
CONSIDERING MR. JOSE A. BINGHAY RESIGNED AND SEPARATED
AS JUSTICE OF THE PEACE OF ASTURIAS, CEBU.

This is an administrative case against Mr. Jose A. Binghay, justice of the peace of Asturias, Cebu, filed by Mrs. Rizalina A. Migallos for (1) unduly delaying the disposition of Criminal Cases Nos. 85 and 90 of his court; (2) dismissing Criminal Case No. 672 of his court for physical injuries on the basis of a supposed amicable settlement which was not complied with; (3) failure to submit parole reports; (4) delay in remanding Criminal Cases Nos. 270 and 272 of his court to the Court of First Instance after the accused had waived preliminary investigation; (5) failure to act on the criminal complaint for the death of Sotero Balbero; (6) unjustified failure to attend the scheduled hearing of a criminal case; (7) solemnizing a secret marriage which was later annulled; (8) illegally collecting a fee for filing a claim for compensation by the children of a deceased former civilian employee of the United States Army; (9) cruelty to animals; and (10) unduly influencing the decision of a cockfight for his personal benefit.

A careful review of the record shows that the evidence supports the first charge as well as other charges of similar neglect of duty on the part of the respondent. In connection with the first charge, it appears that Criminal Cases Nos. 85 and 90 of respondent's court were decided only after more than three years and a half, on account of long postponements granted by him. It is evident that there was palpable delay in the disposal of said cases.

With respect to the fourth charge, the respondent admits that he failed to remand to the Court of First Instance Criminal Case No. 272 of his court for attempted homicide immediately after the waiver of preliminary investigation by the accused. His explanation is that, a few days after the waiver, he went to Manila on leave of absence for about two weeks; and that, after his return, the case was settled amicably by the parties, in view of which he dismissed it. This explanation is unsatisfactory because, first, respondent's alleged leave of absence is not supported by the records of the Department of Justice and, secondly, he could have remanded the case immediately after the waiver of preliminary investigation and before his departure. His behavior has given support to the claim that he was interested in the amicable settlement of the case and that he dismissed it notwithstanding his having found probable cause for the arrest of the accused.

As to the sixth charge, the evidence also shows, and the respondent admits, that he failed to attend the hearing of a criminal case in his court on June 16, 1956, as scheduled. He explains that on June 15, 1956, while he was holding office in Tuburan, the other town in his circuit, he remembered that the instant administrative case was set for hearing on June 22, 1956; that he left for Cebu City after his office hours in Tuburan on June 15, 1956, to prepare for the hearing on June 22; and that on June 16, 1956, he submitted his notarial report to the Clerk of Court and obtained documents for his defense in the administrative case.

Respondent's explanation is unsatisfactory. He could have deferred his departure for Cebu City after attending the hearing in his court on June 16, as previously scheduled. His own admissions

indicate that he did not take his official commitments seriously. Moreover, he evidently made it appear that he was in Cebu City on official business on June 16, 1956, when his purpose in going there was primarily personal, since, to submit his notarial report, it was not necessary for him to go to Cebu City.

In view of the foregoing, respondent is guilty of repeated neglect of duty inimical to the public service where utmost devotion and proficiency are indispensable requisites. In view thereof, and in line with the high standard of performance expected of public officials, in era of reform, corresponding and firm action should be followed in this case.

Wherefore, Mr. Jose A. Binghay is hereby considered resigned and separated as Justice of the Peace of Asturias, Cebu.

Done in the City of Manila, this 27th day of September, in the year of Our Lord, nineteen hundred and sixty-two.

(Sgd.) DIOSDADO MACAPAGAL

By the President:

(Sgd.) SALVADOR L. MARIÑO

Executive Secretary

Source: Malacañang Records Office

Office of the President of the Philippines. (1962). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 25
DESIGNATING THE SECRETARY OF COMMERCE AND INDUSTRY AND THE
UNDERSECRETARY OF COMMERCE AS CHAIRMAN AND VICE-CHAIRMAN,
RESPECTIVELY, OF THE PHILIPPINE COMMITTEE ON ECAFE MATTERS CREATED
BY ADMINISTRATIVE ORDER NO. 157, DATED JUNE 5, 1951.

By virtue of the powers vested in me by law, I, DIOSDADO MACAPAGAL, President of the Philippines, do hereby designate the Secretary of Commerce and Industry and the Undersecretary of Commerce as Chairman and Vice-Chairman, respectively, of the Philippine Committee on ECAFE Matters.

Administrative Order No. 157 dated June 5, 1951, is hereby amended accordingly.

This Order shall take effect immediately.

Done in the City of Manila, this 27th day of September, in the year of Our Lord, nineteen hundred and sixty-two.

(Sgd.) DIOSDADO MACAPAGAL

By the President:
(Sgd.) SALVADOR L. MARIÑO
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1962). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 26
CREATING THE PHILIPPINE NATIONAL COMMITTEE ON FREEDOM
FROM HUNGER CAMPAIGN

WHEREAS, fully one-half of the world's population are either ill-nourished or underfed;

WHEREAS, to fight this state of malnutrition and undernourishment, the Food and Agricultural Organization (FAO) of the United Nations of which the Philippines is a member, launched on July 1, 1960, a Campaign for Freedom from Hunger through the world, and has invited Member Countries to join in this collective effort to remove the threat of hunger by the establishment of National Committees on Freedom from Hunger Campaign; and

WHEREAS, to give this campaign a wider base on which to operate, the FAO has suggested to Member Governments and Associate Members that the membership of the National Committees include governmental and non-governmental or civic organizations;

NOW, THEREFORE, I, DIOSDADO MACAPAGAL, President of the Philippines, by virtue of the powers vested in me by law, do hereby create the Philippine National Committee on Freedom from Hunger Campaign which shall (1) act as a counterpart of the FAO; (2) bring before the people the reality of hunger which confronts all developing countries including the Philippines; (3) stimulate and support nation-wide action programs for the purpose of bridging the gap between available and optimum food supplies through informational education, cooperative efforts and research; and (4) adopt such other measures as will achieve a better understanding of providing adequate food for the present and future population of the world.

The Committee shall be composed of the following:

1. The Secretary of Agriculture and Natural Resources
2. The President, Manila Rotary Club
3. The President, National Federation of Women's Club
4. The President, Junior Chamber of Commerce
5. The President, Philippine Chamber of Agriculture and Natural Resources
6. The Commander, Philippine Veterans Legion
7. The Chairman, Operations Brotherhood
8. The President, Town Hall of the Philippines
9. The Executive Secretary, Nutrition Foundation of the Philippines
10. The Presidential Assistant on Community Development (PACD)
11. The President, Barrio Lieutenants Association
12. The President, National Press Club
13. The National Scout Executive, Boy Scouts of the Philippines

The Committee may from time to time recommend to the President of the Philippines the designation of additional members.

The Committee shall elect its own officers. Unless otherwise directed, it shall have function until June 30, 1965, when the campaign comes to a close.

The Committee shall have the power to raise funds by voluntary contributions according to law to meet its financial obligations.

The Committee shall render special and annual reports of its activities and achievements to the President of the Philippines, furnishing copies thereof to the Director-General of FAO.

This Order shall take effect immediately.

Done in the City of Manila, this 3rd day of October, in the year of Our Lord, nineteen hundred and sixty-two.

(Sgd.) DIOSDADO MACAPAGAL

By the President:

(Sgd.) SALVADOR L. MARIÑO

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1962). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 27
SUSPENDING MR. PEDRO L. HERRERA AS PROVINCIAL TREASURER
OF ZAMBOANGA DEL SUR

Mr. Pedro L. Herrera, Provincial Treasurer of Zamboanga del Sur, is charged with non-remittance to the National Treasury of ₱435,388.88 of the national collections and the incurrence of an overdraft of ₱417,302.86 without the prior authority of the Department of Finance. These facts were verified from the report of the Provincial Auditor. The breakdown of the overdraft is as follows:

General Fund	₱173,542.13
National Provincial Special Highway Fund	84,230.93
Road and Bridge Fund	158,491.90
Garage Fund	<u>1,037.90</u>
Total	₱417,302.86

In his explanation Mr. Herrera showed that the overdrafts of the general and garage funds were already covered by collections at the close of the fiscal year ending June, 1960. Those of the highway fund and the road and bridge funds were already reduced to ₱84,230.93 and ₱9,986.06, respectively. He alleged that these overdrafts were incurred in the honest belief that the province would be given ₱48,626.08 from the contingent fund of the President because of damage from floods and other calamities.

As to the non-remittal of the national funds, he stated that in view of the poor collection of local taxes there was no remedy but to use the national collections in order not to paralyze the normal functions of the local government, and that as soon as the internal revenue allotments would be received the balance of the unremitted collections of ₱125,721.33 would be remitted to the Treasurer of the Philippines.

His explanation is not satisfactory. Provincial Circular No. 22 dated September 16, 1959, of the Department of Finance specifically provides that no amount should be estimated from national aid unless it is actually received or certified as available by national authorities. His actuations on the trust funds and the delayed remission of the national collections are irregular and violative of the provisions of Provincial Circular No. 21 dated October 18, 1956, of the Department of Finance.

In view of the foregoing, and in order to serve as a warning to fiscal officials to be more careful in their duties, Mr. Pedro L. Herrera is suspended from office as Provincial Treasurer of Zamboanga del Sur for a period of one (1) month without pay effective from receipt of a copy hereof. He is also hereby reprimanded and warned that commission of similar offenses in the future will be dealt with more severely.

Done in the City of Manila, this 8th day of October, in the year of Our Lord nineteen hundred and sixty-two.

(Sgd.) DIOSDADO MACAPAGAL

By the President:
(Sgd.) SALVADOR L. MARIÑO
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1962). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 28
AMENDING ADMINISTRATIVE ORDER NO. 22, DATED SEPTEMBER 17, 1962,
ENTITLED “CREATING A COMMITTEE TO TAKE CHARGE OF ALL
ARRANGEMENTS CONNECTED WITH STATE VISITS.”

By virtue of the powers vested in me by law, I, DIOSDADO MACAPAGAL, President of the Philippines, do hereby amend Administrative Order No. 22, dated September 17, 1962, entitled “Creating a Committee to take charge of all arrangements connected with State Visits,” by including the Press Secretary as member thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the Republic of the Philippines to be affixed.

Done in the City of Manila, this 19th day of October, in the year of Our Lord, nineteen hundred and sixty-two.

(Sgd.) DIOSDADO MACAPAGAL

By the President:
(Sgd.) SALVADOR L. MARIÑO
Executive Secretary

Source: Malacañang Records Office

Office of the President of the Philippines. (1962). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 29
EXONERATING DR. PAULINO J. GARCIA, CHAIRMAN OF THE NATIONAL SCIENCE
DEVELOPMENT BOARD, OF THE ADMINISTRATIVE CHARGES AGAINST HIM
FOR ELECTIONEERING AND DISHONESTY.

This is an administrative case against Dr. Paulino J. Garcia, Chairman of the National Science Development Board, for alleged electioneering and dishonesty. The charges were formally investigated by a committee composed of former Justices Pastor M. Endencia, Teofilo Sison and Ramon R. San Jose. The committee finds the charges without merit and recommends respondent's exoneration.

On the electioneering charge, the committee observes that the evidence against the respondent is either hearsay, inconsistent or unworthy of belief and credit. The committee believes that the respondent, in accompanying then President Carlos P. Garcia and introducing him in public in the course of the latter's political campaign in respondent's hometown, was placed in a predicament where as a member of the Cabinet he was left no other choice.

Respondent is charged with dishonesty in that, although he was provided with commutable transportation allowance, he used the official car of the Board. The committee found that he used the official car to accompany foreign scientists and other visitors. As to the employment of his driver, the committee reports that the latter was paid out of his commutable transportation allowance, with the knowledge of the office auditors.

Considering that the facts involved in this case hinge largely on a question of credibility, I have to abide by the conclusions of the learned jurists who had the opportunity to observe the witnesses at close range. In view thereof, the respondent is hereby exonerated of the charges against him.

Done in the City of Manila, this 15th day of November, in the year of Our Lord, nineteen hundred and sixty two.

(Sgd.) DIOSDADO MACAPAGAL

By the President:
(Sgd.) SALVADOR L. MARIÑO
Executive Secretary

Source: Malacañang Records Office

Office of the President of the Philippines. (1962). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 30
AUTHORIZING THE EASTERN ASSURANCE & SURETY CORPORATION
TO BECOME A SURETY UPON OFFICIAL RECOGNIZANCES, STIPULATIONS,
BONDS AND UNDERTAKINGS.

WHEREAS, Section 1 of Act No. 536, as amended by Act No. 2206, provides that whenever any recognizance, stipulation, bond or undertaking conditioned for the faithful performance of any duty or of any contract made with any public authority, national, provincial, municipal or otherwise, or of any undertaking, or for doing or refraining from doing anything in such recognizance, stipulation, bond or undertaking specified is, by the laws of the Philippines or by the regulations or resolutions of any public authority therein, required or permitted to be given with one surety or with two or more sureties, the execution of the same or the guaranteeing of the performance of the condition thereof shall be sufficient when executed or guaranteed solely by any corporation organized under the laws of the Philippines, having power to guarantee the fidelity of persons holding positions of public or private trust and to execute and guarantee bonds or undertakings in juridical proceedings and to agree to the faithful performance of any contract or undertaking made with any public authority;

WHEREAS, said section further provides that no head of department, court, judge, officer, board or body, whether executive, legislative or judicial, shall approve or accept any corporation as surety on any recognizance, stipulation, bond, contract or undertaking unless such corporation has been authorized to do business in the Philippines in accordance with the provisions of said Act No. 536, as amended, nor unless such corporation has, by contract with the Government of the Philippines, been authorized to become a surety upon official recognizances, stipulations, bonds and undertakings; and

WHEREAS, the EASTERN ASSURANCE & SURETY CORPORATION is a domestic corporation organized and existing under the laws of the Republic of the Philippines and fulfills the conditions prescribed by said Act No. 536, as amended.

NOW, THEREFORE, I, DIOSDADO MACAPAGAL, President of the Philippines, by virtue of the powers vested in me by law, do hereby authorize the EASTERN ASSURANCE AND SURETY CORPORATION to become a surety upon official recognizances, stipulations, bonds and undertakings in such manner and under such conditions as are provided by law, subject to the condition that the total amount of immigration bonds that it may issue, shall not, at any time, exceed its admitted assets.

Done in the City of Manila, this 16th day of November, in the year of Our Lord, nineteen hundred and sixty two.

(Sgd.) DIOSDADO MACAPAGAL

By the President:
(Sgd.) SALVADOR L. MARIÑO
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1962). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 31*

CALLING UPON THE MUNICIPAL BOARDS OR CITY COUNCILS, MUNICIPAL COUNCILS
AND MUNICIPAL DISTRICT COUNCILS TO CREATE LOCAL PLANNING BOARDS IN THEIR
RESPECTIVE CITIES, MUNICIPALITIES AND MUNICIPAL DISTRICTS.

WHEREAS, the socio-economic program of the administration calls for an integrated action of both national and local governments in the implementation of the government program;

WHEREAS, in all progressive countries, town planning is recognized as an essential governmental function;

WHEREAS, many of our towns and cities are often left to their own devices, thus resulting in haphazard growth without the benefit of sound planning; and

WHEREAS, sound planning promotes good civic design and arrangement, healthy and orderly environment and economic expenditure of public funds;

NOW, THEREFORE, I, DIOSDADO MACAPAGAL, President of the Philippines, do hereby call upon all municipal boards or city councils, municipal councils and municipal district councils to create, in consultation with the National Planning Commission, their respective planning boards with the following duties and functions:

1. To initiate the preparation of physical development plans for their respective areas in consultation with the National Planning Commission, under the Office of the President;
2. To prepare the necessary subdivision, zoning and building regulations in their respective localities for approval by the local legislative body concerned;
3. To have all public improvements harmonize with a duly approved town or city development plan.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the Republic of the Philippines to be affixed.

Done in the City of Manila, this 4th day of December, in the year of Our Lord, nineteen hundred and sixty-two.

(SGD.) DIOSDADO MACAPAGAL
President of the Philippines

By the President:
(SGD.) SALVADOR L. MARIÑO
Executive Secretary

Footnote:

* Erroneously published in Vol. 58, No. 51, December 17, 1962, issue of the *Official Gazette*, page 8373, as Administrative Order No. 37.

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1962). [*Administrative Order Nos.: 1 - 191*]. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 32
AUTHORIZING THE ORIENTAL ASSURANCE CORPORATION TO BECOME A SURETY
UPON OFFICIAL RECOGNIZANCES, STIPULATIONS, BONDS AND UNDERTAKINGS.

WHEREAS, Section 1 of Act No. 536, as amended by Act No. 2206, provides that whenever any recognizance, stipulation, bond or undertaking conditioned for the faithful performance of any duty or of any contract made with any public authority, national, provincial, municipal or otherwise, or of any undertaking, or for doing or refraining from doing anything in such recognizance, stipulation, bond or undertaking specified is, by the laws of the Philippines, or by the regulations or resolutions of any public authority therein, required or permitted to be given with one surety or with two or more sureties, the execution of the same or the guaranteeing of the performance of the condition thereof shall be sufficient when executed or guaranteed solely by any corporation organized under the laws of the Philippines, having power to guarantee the fidelity of persons holding positions of public or private trust and to execute and guarantee bonds or undertakings in judicial proceedings and to agree to the faithful performance of any contract or undertaking made with any public authority;

WHEREAS, said section further provides that no head of department, court, judge, officer, board or body, whether executive, legislative or judicial, shall approve or accept any corporation as surety on any recognizance, stipulation, bond, contract or undertaking unless such corporation has been authorized to do business in the Philippines in accordance with the provisions of said Act No. 536, as amended, nor unless such corporation has, by contract with the Government of the Philippines, been authorized to become a surety upon official recognizances, stipulations, bonds and undertakings; and

WHEREAS, the ORIENTAL ASSURANCE CORPORATION is a domestic corporation organized and existing under the laws of the Republic of the Philippines and fulfills the conditions prescribed by said Act No. 536, as amended;

NOW, THEREFORE, I, DIOSDADO MACAPAGAL, President of the Philippines, by virtue of the powers vested in me by law, do hereby authorize the ORIENTAL ASSURANCE CORPORATION to become a surety upon official recognizances, stipulations, bonds and undertakings in such manner and under such conditions as are provided by law, and to the further conditions that the total amount of government bonds that it may issue shall not, at any time, exceed its admitted assets and that the amount constituting the contributed surplus fund shall not, at any time, be withdrawn and paid back in cash to the contributing stockholders without prior recommendation and justification by the Insurance Commissioner duly approved by the Secretary of Finance.

Done in the City of Manila, this 11th day of December, in the year of Our Lord, nineteen hundred and sixty-two.

(Sgd.) DIOSDADO MACAPAGAL

By the President:
(Sgd.) SALVADOR L. MARIÑO
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1962). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 33
AUTHORIZING THE TRUST INSURANCE CORPORATION TO BECOME A SURETY UPON
OFFICIAL RECOGNIZANCES, STIPULATIONS, BONDS AND UNDERTAKINGS.

WHEREAS, Section 1 of Act No. 536, as amended by Act No. 2206, provides that whenever any recognizance, stipulation, bond or undertaking conditioned for the faithful performance of any duty or of any contract made with any public authority, national, provincial, municipal or otherwise, or of any undertaking, or for doing or refraining from doing anything in such recognizance, stipulation, bond or undertaking specified is, by the laws of the Philippines or by the regulations or resolutions of any public authority therein, required or permitted to be given with one surety or with two or more sureties, the execution of the same or the guaranteeing of the performance of the condition thereof shall be sufficient when executed or guaranteed solely by any corporation organized under the laws of the Philippines, having power to guarantee the fidelity of persons holding positions of public or private trust and to execute and guarantee bonds or undertakings in juridical proceedings and to agree to the faithful performance of any contract or undertaking made with any public authority;

WHEREAS, said section further provides that no head of department, court, judge, officer, board or body, whether executive, legislative or judicial, shall approve or accept any corporation as surety on any recognizance, stipulation, bond, contract or undertaking unless such corporation has been authorized to do business in the Philippines in accordance with the provisions of said Act No. 536, as amended, nor unless such corporation has, by contract with the Government of the Philippines, been authorized to become a surety upon official recognizances, stipulations, bonds and undertakings; and

WHEREAS, the TRUST INSURANCE CORPORATION, is a domestic corporation organized and existing under the laws of the Republic of the Philippines and fulfills the conditions prescribed by said Act No. 536, as amended.

NOW, THEREFORE, I, DIOSDADO MACAPAGAL, President of the Philippines, by virtue of the powers vested in me by law, do hereby authorize the TRUST INSURANCE CORPORATION to become a surety upon official recognizances, stipulations, bonds and undertakings in such manner and under such conditions as are provided by law, subject to the conditions that the total amount of government bonds that it may issue, shall not, at any time, exceed its admitted assets and that the contributed surplus fund shall not, at any time, be withdrawn and paid back in cash to the contributing stockholders without prior recommendation and justification by the Insurance Commissioner duly approved by the Secretary of Finance.

Done in the City of Manila, this 11th day of December, in the year of Our Lord, nineteen hundred and sixty-two.

(Sgd.) DIOSDADO MACAPAGAL

By the President:
(Sgd.) SALVADOR L. MARIÑO
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1962). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 34

**AUTHORIZING THE WELLINGTON INSURANCE COMPANY, INC., TO BECOME A SURETY
UPON OFFICIAL RECOGNIZANCES, STIPULATIONS, BONDS AND UNDERTAKINGS.**

WHEREAS, Section 1 of Act No. 536, as amended by Act No. 2206, provides that whenever any recognizance, stipulation, bond or undertaking conditioned for the faithful performance of any duty or of any contract made with any public authority, national, provincial, municipal or otherwise, or of any undertaking, or for doing or refraining from doing anything in such recognizance, stipulation, bond or undertaking specified is, by the laws of the Philippines or by the regulations or resolutions of any public authority therein, required or permitted to be given with one surety or with two or more sureties, the execution of the same or the guaranteeing of the performance of the condition thereof shall be sufficient when executed or guaranteed solely by any corporation organized under the laws of the Philippines, having power to guarantee the fidelity of persons holding positions of public or private trust and to execute and guarantee bonds or undertakings in judicial proceedings and to agree to the faithful performance of any contract or undertaking made with any public authority;

WHEREAS, said section further provides that no head of department, court, judge, office, board or body, whether executive, legislative or judicial, shall approve or accept any corporation as surety on any recognizance, stipulation, bond, contract or undertaking unless such corporation has been authorized to do business in the Philippines in accordance with the provisions of said Act No. 536, as amended, nor unless such corporation has, by contract with the Government of the Philippines, been authorized to become a surety upon official recognizances, stipulations, bonds and undertakings; and

WHEREAS, the WELLINGTON INSURANCE COMPANY, INC., is a domestic corporation organized and existing under the laws of the Republic of the Philippines and fulfills the conditions prescribed by said Act No. 536, as amended;

NOW, THEREFORE, I, DIOSDADO MACAPAGAL, President of the Philippines, by virtue of the powers vested in me by law, do hereby authorize the WELLINGTON INSURANCE COMPANY, INC., to become a surety upon official recognizances, stipulations, bonds and undertakings in such manner and under such conditions as are provided by law, subject to the conditions that the total amount of government bonds that it may issue shall not, at any time, exceed its admitted assets; and that the amount constituting the contributed surplus fund shall not, at any time, be withdrawn and paid back in cash to the contributing stockholders without prior recommendation by the Insurance Commissioner duly approved by the Secretary of Finance.

Done in the City of Manila, this 11th day of December, in the year of Our Lord, nineteen hundred and sixty-two.

(Sgd.) DIOSDADO MACAPAGAL

By the President:
(Sgd.) SALVADOR L. MARIÑO
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1962). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 35
AUTHORIZING THE ZENITH INSURANCE CORPORATION TO BECOME A SURETY UPON
OFFICIAL RECOGNIZANCES, STIPULATIONS, BONDS AND UNDERTAKINGS.

WHEREAS, Section 1 of Act No. 536, as amended by Act No. 2206, provides that whenever any recognizance, stipulation, bond or undertaking conditioned for the faithful performance of any duty or of any contract made with any public authority, national, provincial, municipal or otherwise, or of any undertaking, or for doing or refraining from doing anything in such recognizances, stipulation, bond or undertaking specified is, by the laws of the Philippines or by the regulations or resolutions of any public authority therein, required or permitted to be given with one surety or with two or more sureties, the execution of the same or the guaranteeing of the performance of the condition thereof shall be sufficient when executed or guaranteed solely by any corporation organized under the laws of the Philippines, having power to guarantee the fidelity of persons holding positions of public or private trust and to execute and guarantee bonds or undertakings in juridical proceedings and to agree to the faithful performance of any contract or undertaking made with any public authority;

WHEREAS, said section further provides that no head of department, court, judge, officer, board or body, whether executive, legislative or judicial, shall approve or accept any corporation as surety on any recognizance, stipulation, bond, contract or undertaking unless such corporation has been authorized to do business in the Philippines in accordance with the provisions of said Act No. 536, as amended, nor unless such corporation has, by contract with the Government of the Philippines, been authorized to become a surety upon official recognizances, stipulations, bonds and undertakings; and

WHEREAS, the ZENITH INSURANCE CORPORATION is a domestic corporation organized and existing under the laws of the Republic of the Philippines and fulfills the conditions prescribed by said Act No. 536, as amended.

NOW, THEREFORE, I, DIOSDADO MACAPAGAL, President of the Philippines, by virtue of the power vested in me by law, do hereby authorize the ZENITH INSURANCE CORPORATION to become a surety upon official recognizances, stipulations, bonds and undertakings in such manner and under such conditions as are provided by law, subject to the conditions that the total amount of government bonds that it may issue, shall not, at any time, exceed its admitted assets, and that the amount constituting the contributed surplus fund shall not, at any time, be withdrawn and paid back in cash to the contributing stockholders without prior recommendation by the Insurance Commissioner duly approved by the Secretary of Finance.

Done in the City of Manila, this 21st day of December, in the year of Our Lord, nineteen hundred and sixty-two.

(Sgd.) DIOSDADO MACAPAGAL

By the President:
(Sgd.) SALVADOR L. MARIÑO
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1962). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 36

**AUTHORIZING THE MANHATTAN GUARANTY COMPANY, INC., TO BECOME A SURETY
UPON OFFICIAL RECOGNIZANCES, STIPULATIONS, BONDS AND UNDERTAKINGS.**

WHEREAS, Section 1 of Act No. 536, as amended by Act No. 2206, provides that whenever any recognizance, stipulation, bond or undertaking conditioned for the faithful performance of any duty or of any contract made with any public authority, national, provincial, municipal or otherwise, or of any undertaking, or for doing or refraining from doing anything in such recognizance, stipulation, bond or undertaking specified is, by the laws of the Philippines or by the regulations or resolutions of any public authority therein, required or permitted to be given with one surety or with two or more sureties, the execution of the same or the guaranteeing of the performance of the condition thereof shall be sufficient when executed or guaranteed solely by any corporation organized under the laws of the Philippines, having power to guarantee the fidelity of persons holding positions of public or private trust and to execute and guarantee bonds or undertakings in judicial proceedings and to agree to the faithful performance of any contract or undertaking made with any public authority;

WHEREAS, said section further provides that no head of department, court, judge, officer, board or body, whether executive, legislative or judicial, shall approve or accept any corporation as surety on any recognizance, stipulation, bond, contract or undertaking unless such corporation has been authorized to do business in the Philippines in accordance with the provisions of said Act No. 536, as amended, nor unless such corporation has, by contract with the Government of the Philippines, been authorized to become a surety upon official recognizances, stipulations, bonds and undertakings; and

WHEREAS, the MANHATTAN GUARANTY COMPANY, INC., is a domestic corporation organized and existing under the laws of the Republic of the Philippines and fulfills the conditions prescribed by said Act No. 536, as amended;

NOW, THEREFORE, I, DIOSDADO MACAPAGAL, President of the Philippines, by virtue of the powers vested in me by law, do hereby authorize the MANHATTAN GUARANTY COMPANY, INC., to become a surety upon official recognizances, stipulations, bonds and undertakings in such manner and under such conditions as are provided by law, subject to the condition that the total amount of immigration bonds that it may issue shall not, at any time, exceed its admitted assets.

Done in the City of Manila, this 27th day of December, in the year of Our Lord, nineteen hundred and sixty-two.

(Sgd.) DIOSDADO MACAPAGAL

By the President:
(Sgd.) SALVADOR L. MARIÑO
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1962). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 37

**AUTHORIZING THE WORKMEN'S INSURANCE COMPANY, INC., TO BECOME A SURETY
UPON OFFICIAL RECOGNIZANCES, STIPULATIONS, BONDS AND UNDERTAKINGS.**

WHEREAS, Section 1 of Act No. 536, as amended by Act No. 2206, provides that whenever any recognizance, stipulation, bond or undertaking conditioned for the faithful performance of any duty or of any contract made with any public authority, national, provincial, municipal or otherwise, or of any undertaking, or for doing or refraining from doing anything in such recognizance, stipulation, bond or undertaking specified is, by the laws of the Philippines or by the regulations or resolutions of any public authority therein, required or permitted to be given with one surety or with two or more sureties, the execution of the same or the guaranteeing of the performance of the condition thereof shall be sufficient when executed or guaranteed solely by any corporation organized under the laws of the Philippines, having power to guarantee the fidelity of persons holding positions of public or private trust and to execute and guarantee bonds or undertakings in judicial proceedings and to agree to the faithful performance of any contract or undertaking made with any public authority;

WHEREAS, said section further provides that no head of department, court, judge, officer, board or body, whether executive, legislative, or judicial, shall approve or accept any corporation as surety on any recognizance, stipulation, bond, contract or undertaking unless such corporation has been authorized to do business in the Philippines in accordance with the provisions of said Act No. 536, as amended, nor unless such corporation has, by contract with the Government of the Philippines, been authorized to become a surety upon official recognizances, stipulations, bonds and undertakings; and

WHEREAS, the WORKMEN'S INSURANCE COMPANY, INC., is a domestic corporation organized and existing under the laws of the Republic of the Philippines and fulfills the conditions prescribed by said Act No. 536, as amended;

NOW, THEREFORE, I, DIOSDADO MACAPAGAL, President of the Philippines, by virtue of the powers vested in me by law, do hereby authorize the WORKMEN'S INSURANCE COMPANY, INC., to become a surety upon official recognizances, stipulations, bonds and undertakings in such manner and under such conditions as are provided by law, subject to the condition that the total amount of immigration bonds that it may issue shall not, at any time, exceed its admitted assets.

Done in the City of Manila, this 27th day of December, in the year of Our Lord, nineteen hundred and sixty-two.

(Sgd.) DIOSDADO MACAPAGAL

By the President:
(Sgd.) SALVADOR L. MARIÑO
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1962). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 38
AUTHORIZING THE GOODYEAR INSURANCE COMPANY, INC., TO BECOME A SURETY
UPON OFFICIAL RECOGNIZANCES, STIPULATIONS, BONDS AND UNDERTAKINGS.

WHEREAS, Section 1 of Act No. 536, as amended by Act No. 2206, provides that whenever any recognizance, stipulation, bond or undertaking conditioned for the faithful performance of any duty or of any contract made with any public authority, national, provincial, municipal or otherwise, or of any undertaking, for doing or refraining from doing anything in such recognizance, stipulation, bond or undertaking specified, is, by the laws of the Philippines, or by the regulations or resolutions of any public authority therein, required or permitted to be given with one surety or with two or more sureties, the execution of the same or the guaranteeing of the performance of the condition thereof shall be sufficient when executed or guaranteed solely by any corporation organized under the laws of the Philippines, having power to guarantee the fidelity of persons holding positions of public or private trust and to execute and guarantee bonds or undertakings in judicial proceedings and to agree to the faithful performance of any contract or undertaking made with any public authority;

WHEREAS, said section further provides that no head of department, court, judge, officer, board or body, executive, legislative or judicial, shall approve or accept any corporation as surety on any recognizance, stipulation, bond, contract, or undertaking, unless such corporation has been authorized to do business in the Philippines in the manner provided by the provisions of said Act No. 536, as amended, nor unless such corporation has by contract with the Government of the Philippines, been authorized to become a surety upon official recognizances, stipulations, bonds and undertakings; and

WHEREAS, the GOODYEAR INSURANCE COMPANY, INC., is a domestic corporation organized and existing under the laws of the Republic of the Philippines and fulfills the conditions prescribed by said Act No. 536, as amended;

NOW, THEREFORE, I, DIOSDADO MACAPAGAL, President of the Philippines, by virtue of the powers vested in me by law, do hereby authorize the GOODYEAR INSURANCE COMPANY, INC., to become a surety upon official recognizances, stipulations, bonds and undertakings in such manner and under such conditions as are provided by law, except that the total amount of immigration bonds that it may issue shall not, at any time, exceed its admitted assets.

Done in the City of Manila, this 27th day of December, in the year of Our Lord, nineteen hundred and sixty-two.

(Sgd.) DIOSDADO MACAPAGAL

By the President:
(Sgd.) SALVADOR L. MARIÑO
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1962). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 39

**AUTHORIZING THE PROGRESS INSURANCE & SURETY COMPANY, INC. TO
BECOME A SURETY UPON OFFICIAL RECOGNIZANCES, STIPULATIONS, BONDS AND
UNDERTAKINGS.**

WHEREAS, Section 1 of Act No. 536, as amended by Act No. 2206, provides that whenever any recognizance, stipulation, bond or undertaking conditioned for the faithful performance of any duty or of any contract made with any public authority, national, provincial, municipal or otherwise, or of any undertaking, or for doing or refraining from doing anything in such recognizance, stipulation, bond or undertaking specified is, by the laws of the Philippines or by the regulations or resolutions of any public authority therein, required or permitted to be given with one surety or with two or more sureties, the execution of the same or the guaranteeing of the performance of the condition thereof shall be sufficient when executed or guaranteed solely by any corporation organized under the laws of the Philippines, having power to guarantee the fidelity of persons holding positions of public or private trust and to execute and guarantee bonds or undertakings in judicial proceedings and to agree to the faithful performance of any contract or undertaking made with any public authority;

WHEREAS, said section further provides “that no head of department, court, judge, officer, board or body, whether executive, legislative or judicial, shall approve or accept any corporation as surety on any recognizance, stipulation, bond, contract or undertaking unless such corporation has been authorized to do business in the Philippines in accordance with the provisions of said Act No. 536, as amended, nor unless such corporation has, by contract with the Government of the Philippines, been authorized to become a surety upon official recognizances, stipulations, bonds and undertakings;” and

WHEREAS, the PROGRESS INSURANCE & SURETY COMPANY, INC. is a domestic corporation organized and existing under the laws of the Republic of the Philippines and fulfills the conditions prescribed by said Act No. 536, as amended.

NOW, THEREFORE, I, DIOSDADO MACAPAGAL, President of the Philippines, by virtue of the powers vested in me by law, do hereby authorize the PROGRESS INSURANCE & SURETY COMPANY, INC. to become a surety upon official recognizances, stipulations, bonds and undertakings, in such manner and under such conditions as are provided by law, subject to the condition that the total amount of immigration bonds that it may issue shall not, at any time, exceed its admitted assets.

Done in the City of Manila, this 28th day of December, in the year of Our Lord, nineteen hundred and sixty-two.

(Sgd.) DIOSDADO MACAPAGAL

By the President:
(Sgd.) SALVADOR L. MARIÑO
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1962). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 40
AUTHORIZING THE FIELDMEN'S GUARANTY COMPANY, INC. TO BECOME A SURETY
UPON OFFICIAL RECOGNIZANCES, STIPULATIONS, BONDS AND UNDERTAKINGS.

WHEREAS, Section 1 of Act No. 536, as amended by Act No. 2206, provides that whenever any recognizance, stipulation, bond or undertaking conditioned for the faithful performance of any duty or of any contract made with any public authority, national, provincial, municipal or otherwise, or of any undertaking, or for doing or refraining from doing anything in such recognizance, stipulation, bond or undertaking specified is, by the laws of the Philippines or by the regulations or resolutions of any public authority therein, required or permitted to be given with one surety or with two or more sureties, the execution of the same or the guaranteeing of the performance of the condition thereof shall be sufficient when executed or guaranteed solely by any corporation organized under the laws of the Philippines, having power to guarantee the fidelity of persons holding positions of public or private trust and to execute and guarantee bonds or undertakings in judicial proceedings and to agree to the faithful performance of any contract or undertaking made with any public authority;

WHEREAS, said section further provides that no head of department, court, judge, officer, board or body, whether executive, legislative or judicial, shall approve or accept any corporation as surety on any recognizance, stipulation, bond, contract or undertaking unless such corporation has been authorized to do business in the Philippines in accordance with the provisions of said Act No. 536, as amended, nor unless such corporation has, by contract with the Government of the Philippines, been authorized to become a surety upon official recognizances, stipulations, bonds and undertakings; and

WHEREAS, the FIELDMEN'S GUARANTY COMPANY, INC. is a domestic corporation organized and existing under the laws of the Republic of the Philippines and fulfills the conditions prescribed by said Act No. 536, as amended.

NOW, THEREFORE, I, DIOSDADO MACAPAGAL, President of the Philippines, by virtue of the powers vested in me by law, do hereby authorize the FIELDMEN'S GUARANTY COMPANY, INC. to become a surety upon official recognizances, stipulations, bonds and undertakings in such manner and under such conditions as are provided by law, subject to the condition that the total amount of immigration bonds that it may issue shall not, at any time, exceed its admitted assets.

Done in the City of Manila, this 28th day of December, in the year of Our Lord, nineteen hundred and sixty-two.

(Sgd.) DIOSDADO MACAPAGAL

By the President:
(Sgd.) SALVADOR L. MARIÑO
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1962). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 41
AUTHORIZING THE SINCERE INSURANCE COMPANY, INC. TO BECOME A SURETY
UPON OFFICIAL RECOGNIZANCES, STIPULATIONS, BONDS AND UNDERTAKINGS.

WHEREAS, Section 1 of Act No. 536, as amended by Act No. 2206, provides that whenever any recognizance, stipulation, bond or undertaking conditioned for the faithful performance of any duty or of any contract made with any public authority, national, provincial, municipal or otherwise, or of any undertaking, or for doing or refraining from doing anything in such recognizance, stipulation, bond or undertaking specified, is by the laws of the Philippines or by the regulations or resolutions of any public authority therein, required or permitted to be given with one surety or with two or more sureties, the execution of the same or the guaranteeing of the performance of the condition thereof shall be sufficient when executed or guaranteed solely by any corporation organized under the laws of the Philippines, having power to guarantee the fidelity of persons holding positions of public or private trust and to execute and guarantee bonds or undertakings in judicial proceedings and to agree to the faithful performance of any contract or undertaking made with any public authority;

WHEREAS, said section further provides that no head of Department, court, judge, officer, board of body, whether executive, legislative or judicial, shall approve or accept any corporation as surety on any recognizance, stipulation, bond, contract or undertaking unless such corporation has been authorized to do business in the Philippines in accordance with the provisions of said Act No. 536, as amended, nor unless such corporation has, by contract with the Government of the Philippines, been authorized to become a surety upon official recognizances, stipulations, bonds and undertakings; and

WHEREAS, the Sincere Insurance Company, Inc., is a domestic corporation organized and existing under the laws of the Philippines and fulfills the conditions prescribed by said Act No. 536, as amended;

NOW, THEREFORE, I, DIOSDADO MACAPAGAL, President of the Philippines, by virtue of the powers in me vested by law, do hereby authorize the SINCERE INSURANCE COMPANY, INC. to become a surety upon official recognizances, stipulations, bonds and undertakings in such manner and under such conditions as are provided by law, subject to the conditions that the total amount of government bonds that it may issue shall not, at any time, exceed its admitted assets and that the contributed surplus fund shall not, at any time, be withdrawn and paid back in cash to the contributing stockholders without prior recommendation and justification by the Insurance Commissioner duly approved by the Secretary of Finance.

Done in the City of Manila, this 28th day of December, in the year of Our Lord, nineteen hundred and sixty-two.

(Sgd.) DIOSDADO MACAPAGAL

By the President:
(Sgd.) SALVADOR L. MARIÑO
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1962). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 42
AUTHORIZING THE PHILIPPINE AMERICAN ASSURANCE COMPANY, INC.
TO BECOME A SURETY UPON OFFICIAL RECOGNIZANCES, STIPULATIONS, BONDS
AND UNDERTAKINGS.

WHEREAS, Section 1 of Act No. 536, as amended by Act No. 2206, provides that whenever any recognizance, stipulation, bond or undertaking conditioned for the faithful performance of any duty or of any contract made with any public authority, national, provincial, municipal or otherwise, or of any undertaking, or for doing or refraining from doing anything in such recognizance, stipulation, bond or undertaking specified is, by the laws of the Philippines or by the regulations or resolutions of any public authority therein, required or permitted to be given with one surety or with two or more sureties, the execution of the same or the guaranteeing of the performance of the condition thereof shall be sufficient when executed or guaranteed solely by any corporation organized under the laws of the Philippines, having power to guarantee the fidelity of persons holding positions of public or private trust and to execute and guarantee bonds or undertakings in judicial proceedings and to agree to the faithful performance of any contract or undertaking made with any public authority;

WHEREAS, said section further provides that no head of department, court, judge, officer, board or body, whether executive, legislative or judicial, shall approve or accept any corporation as surety on any recognizance, stipulation, bond, contract or undertaking unless such corporation has been authorized to do business in the Philippines in accordance with the provisions of said Act No. 536, as amended, nor unless such corporation has, by contract with the Government of the Philippines, been authorized to become a surety upon official recognizances, stipulations, bonds and undertakings; and

WHEREAS, THE PHILIPPINE AMERICAN ASSURANCE COMPANY, INC. is a domestic corporation organized and existing under the laws of the Republic of the Philippines and fulfills the conditions prescribed by said Act No. 536, as amended.

NOW, THEREFORE, I, DIOSDADO MACAPAGAL, President of the Philippines, by virtue of the powers vested in me by law, do hereby authorize THE PHILIPPINE AMERICAN ASSURANCE COMPANY, INC. to become a surety upon official recognizances, stipulations, bonds and undertakings in such manner and under such conditions as are provided by law, subject to the condition that the total amount of immigration bonds that it may issue shall not, at any time, exceed its admitted assets.

Done in the City of Manila, this 28th day of December, in the year of Our Lord, nineteen hundred and sixty-two.

(Sgd.) DIOSDADO MACAPAGAL

By the President:
(Sgd.) SALVADOR L. MARIÑO
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1962). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 43

**AUTHORIZING THE PROPERTY AND LIABILITY INSURANCE CORPORATION,
TO BECOME A SURETY UPON OFFICIAL RECOGNIZANCES, STIPULATIONS, BONDS
AND UNDERTAKINGS.**

WHEREAS, Section 1 of Act No. 536, as amended by Act No. 2206, provides that whenever any recognizance, stipulation, bond or undertaking conditioned for the faithful performance of any duty or of any contract made with any public authority, national, provincial, municipal or otherwise, or of any undertaking, or for doing or refraining from doing anything in such recognizance, stipulation, bond or undertaking specified is, by the laws of the Philippines or by the regulations or resolutions of any public authority therein, required or permitted to be given with one surety or with two or more sureties, the execution of the same or the guaranteeing of the performance of the condition thereof shall be sufficient when executed or guaranteed solely by any corporation organized under the laws of the Philippines, having power to guarantee the fidelity of persons holding positions of public or private trust and to execute and guarantee bonds or undertakings in judicial proceedings and to agree to the faithful performance of any contract or undertaking made with any public authority;

WHEREAS, said section further provides that no head of department, court, judge, officer, board or body, whether executive, legislative or judicial, shall approve or accept any corporation as surety on any recognizance, stipulation, bond, contract or undertaking unless such corporation has been authorized to do business in the Philippines in accordance with the provisions of said Act No. 536, as amended, nor unless such corporation has, by contract with the Government of the Philippines, been authorized to become a surety upon official recognizances, stipulations, bonds and undertakings; and

WHEREAS, the PROPERTY AND LIABILITY INSURANCE CORPORATION, is a domestic corporation organized and existing under the laws of the Republic of the Philippines and fulfills the conditions prescribed by said Act No. 536, as amended;

NOW, THEREFORE, I, DIOSDADO MACAPAGAL, President of the Philippines, by virtue of the powers vested in me by law, do hereby authorize the PROPERTY AND LIABILITY INSURANCE CORPORATION to become a surety upon official recognizances, stipulations, bonds and undertakings in such manner and under such conditions as are provided by law, subject to the conditions that the total amount of government bonds that it may issue, shall not, at any time, exceed its admitted assets and that the contributed surplus fund shall not, at any time, be withdrawn and paid back in cash to the contributing stockholders without prior recommendation and justification by the Insurance Commissioner duly approved by the Secretary of Finance.

Done in the City of Manila, this 28th day of December, in the year of Our Lord, nineteen hundred and sixty-two.

(Sgd.) DIOSDADO MACAPAGAL

By the President:
(Sgd.) SALVADOR L. MARIÑO
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1962). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 44
SUSPENDING MR. BIENVENIDO A. EBARLE FROM OFFICE AS PROVINCIAL GOVERNOR
OF ZAMBOANGA DEL SUR.

This is an administrative case against Provincial Governor Bienvenido A. Ebarle of Zamboanga del Sur who stands charged in separate complaints filed by Eleuterio Rafaela and eight others with oppression, grave abuse of authority, dishonesty and violation of the Anti-Graft Law. The charges were investigated by Assistant Solicitor General (now Judge of First Instance) Florencio Villamor, who found the respondent guilty of oppression under the complaints of Eleuterio Rafaela, and Francisco Sabuelva and Salomon Dadula, and of misconduct in office under those of Cesar Ballesteros, and Jose Guillar and Francisco Ubongen. The investigator cleared him from the complaints of Lauro Roldan, Felipe Largo and Genaro Salomon for the remaining charges.

A careful review of the record shows that the investigator's findings are supported by law and the evidence.

I. Oppression

A. Eleuterio Rafaela charges respondent with oppression and grave abuse of authority. It appears that in the morning of June 17, 1961, complainant Rafaela and Virgilio Padayao met in sitio Mainit, Gawil, Kumalarang, Zamboanga del Sur, and Padayao struck Rafaela with the butt of his gun, wounding the latter on the left shoulder.

Rafaela declared that while he and his wife were in their farm, Cesario Acheme, his farmhand, arrived and told him that a man of the respondent governor wanted to see him at the boundary. When the spouses and Acheme reached the place indicated, Rafaela was suddenly strangled and struck several times with the butt of a carbine by one nicknamed Beriong (Virgilio Padayao), who identified himself as a bodyguard of respondent. As a result he sustained bruises and had difficulty in breathing. He exhibited a scar, the size of a centavo, on the left elbow bend. Beriong was then accompanied by one nicknamed Ceto (Anatolio Castellano).

Padayao brought Rafaela to the poblacion of Pagadian in the house of the respondent. As the latter was away at the time, his wife sent for Atty. Ponciano Dueñas, a special investigator in respondent's office. Dueñas typed something inside the room and thereafter asked Rafaela to sign the paper (Exh. 1-Rafaela) he had just typed, which Rafaela did. Padayao then told Rafaela to go home and to return when the respondent arrived, otherwise they would have him arrested. Exhibit 1-Rafaela purports to be an affidavit of Rafaela admitting that he was found in possession of an unlicensed caliber 45 pistol.

Rafaela told his wife the following morning that they were moving immediately to Jimenez, Misamis Occidental, because he feared for their lives. In late June or early July 1961 Rafaela returned to Pagadian as previously instructed and proceeded to the capitol where he was introduced to the

respondent by the latter's bodyguard. Addressing Rafaela, respondent said: "Are you Rafaela who squatted on my land? Do you not know that the land where you are staying was bought by me in 1955?" Rafaela replied: "Governor, I did not squat on your land. That land, I bought from Datu Tukan Dakula, and another portion from a boy of said Datu who is a corporal in the police force." Respondent asked Rafaela if he had any evidence of ownership of the land. When Rafaela replied in the affirmative and said that the same was left in the house, respondent retorted, "See, you have no evidence of ownership of your land." Afterwards respondent's bodyguard led Rafaela out of the room and warned him that if he ever returned, he would be killed. Rafaela and his wife returned to Jimenez, Misamis Occidental.

According to respondent's evidence, on June 16, 1961, Mamogus Sabia went to the capitol and reported to Atty. Dueñas that Rafaela of Gawil had a pistol and had been harassing the Subanos of that locality. Dueñas instructed Virgilio Padayao, a provincial guard, and Brigido Sudmalin, a special agent, to verify the report, and true enough Rafaela had something bulging on his waist. When Padayao asked what it was, Rafaela made a move as if to draw something from his waist, whereupon Padayao struck him with the butt of his carbine on the left elbow. Rafaela fell to the ground, and Padayao took his pistol and asked him whether he had a license for it. At first Rafaela said he had, but later admitted having none and having bought the firearm from a Muslim.

Padayao and his companion then brought Rafaela to Pagadian to surrender him to the constabulary authorities. However, Rafaela tearfully pleaded to be permitted to see the respondent. The latter being out, Rafaela executed an affidavit before Atty. Dueñas who later permitted him to go home with the admonition to see the respondent upon the latter's arrival and not to leave the place of Gawil. A few days later Rafaela and his wife, bringing with them two letters, went to the capitol to see the respondent to whom Rafaela pleaded to go slow in the filing of the case against him.

The principal point of dispute between the two versions deals with the motive. Whereas complainant Rafaela claims that behind his maltreatment was respondent's conflicting interest in his property in Gawil, respondent avers that he had no intervention whatsoever in the matter and that upon verification of the complaint that Rafaela had been harassing the residents of the locality, he was found in possession of an unlicensed firearm.

The issue boils down to one of credibility. Complainant, the investigator observed, was a simple barriofolk who testified in a straight-forward manner, and there was absolutely nothing in his testimony that would engender disbelief, the same being corroborated on material points by other competent evidence. On the other hand, respondent's evidence is unreliable and incredible. The alleged harassment committed by Rafaela against the Subanos in Gawil was pure hearsay. Neither the person who made the report (Mamogus Sabia) nor the one in whose behalf it was made (Magindulum Balis) was placed on the witness stand to confirm the same.

Moreover, the supposed harassment by Rafaela was belied by Mayor Tukan Dakula of Kumalarang, respondent's own witness, who declared that he had never received any report about Rafaela's disturbing his neighbors and that except for the boundary dispute between Rafaela and Magindulum Subano, which he was requested to settle, he was positive that Rafaela never bother his neighbors. There is no trustworthy evidence on record to show that the pistol supposedly taken from Rafaela in Gawil was surrendered or delivered to Atty. Dueñas or that said firearm really existed.

I agree with the investigator that respondent's claim that Rafaela had been harassing the Subanos in Gawil and that he was apprehended because he had an unlicensed firearm is not true and that Rafaela's manhandling by Padayao and having him sign an affidavit prepared by Atty. Dueñas were part of a scheme to cower Rafaela and subdue his will so that he would abandon the land in Gawil claimed by the respondent.

While there is no evidence that respondent directed the commission of the acts by his two subordinates, it is too far-fetched to believe that he was not a party to, much less wholly unaware of, the scheme to get Rafaela out of the way. He, more than anyone else, had a motive to desire Rafaela's elimination.

I therefore find the respondent guilty of oppression, an offense which need not be committed in the course of performance of duty (*Bautista vs. Negado*, G. R. No. L-14319, May 26, 1960).

B. Respondent is also charged with oppression by Francisco Sabuelva and Salomon Dadula. In the afternoon of March 2, 1961, Sabuelva was operating a power-shovel of the Bureau of Public Highways at the Balintawak section in Pagadian. The shovel was removing soil from the right side of the road and depositing it on the left side. A station wagon of the Bureau of Health arrived and respondent alighted, followed by Provincial Warden Mendez and a security guard. They walked towards the power-shovel cage where Sabuelva was operating the machine. Respondent then picked up a stone and threw it at Sabuelva but missed. He shouted at Sabuelva, "Come down. You of the Bureau of Public Highways are humbug (proud)." Sabuelva obeyed, but hardly had he touched the ground when respondent rained fist blows at him and Mendez pushed him. Sabuelva fell to the ground and sustained injuries in the face and ear.

Thereafter, respondent and his companions proceeded to the place where Salomon Dadula, Sabuelva's assistant, stood. Dadula was also boxed by respondent and he fell on his seat, sustaining injuries in the left arm. Respondent and his men then boarded the station wagon and left.

The following morning after the incident, Sabuelva and Dadula had their injuries treated at the clinic of Dr. Jose Hofilena. That same morning Mrs. Justina Tallafer, Sabuelva's sister, met in church Warden Mendez who told her of respondent's desire to see her. Mrs. Tallafer rode with him in the latter's jeep to the residence of respondent who expressed his regrets over the incident, stating that he did it at the impulse of the moment and that he did not recognize him to be her brother. Respondent asked that they forget the whole matter. The next morning he likewise asked forgiveness from Sabuelva.

The evidence for the respondent is that while the station wagon of the Bureau of Health where the respondent, together with Provincial Warden Mendez, Teotimo Sulante and two of his children, was riding to fulfill a speaking engagement was at the Balintawak section, they saw the power-shovel of the Bureau of Public Highways. Fructuoso Arao, the station wagon driver, stopped the vehicle and, upon the signal of assistant operator Dadula, they proceeded, passing on the left side of the road. As the wagon inched its way, the beam of the power-shovel suddenly appeared before them, and some of the soil it carried dropped on the hood of the wagon. Arao stopped the car, and Mendez and Sulante got off, walked towards the power-shovel and told operator Sabuelva to come down. Mendez reprimanded Sabuelva for his carelessness in operating the shovel. Sabuelva simply sneered, whereupon Mendez gave him fist blows. Sulante, who was beside Mendez, saw Dadula running towards him and he also boxed Dadula. While they were thus quarreling, respondent told Sabuelva to be more careful in his work, after which respondent and his party boarded the station wagon and proceeded on their way.

Respondent denied having met Mrs. Tallafer, Sabuelva and Dadula at the capitol as well as on the occasion when she allegedly went to his house after the filing of the complaint. He claims, however, that Mrs. Tallafer and Dadula went to his residence one evening and asked for forgiveness.

It is undisputed that Sabuelva and Dadula were boxed and got injured while they were operating the power-shovel of the Bureau of Public Highways somewhere in Pagadian. Complainants and their witnesses pointed accusing fingers at the respondent, but the latter and his witnesses claimed that it was Mendez and Sulante who boxed Sabuelva and Dadula, respectively. The testimony of respondent's witnesses, namely, Fructuoso Arao, Provincial Warden Mendez and Teotimo Sulante, does not inspire

belief and may not be accepted on its face value. Arao admitted that he did not actually see the boxing of Sabuelva and Dadula allegedly by Mendez and Sulante but only heard them quarreling. Mendez and Sulante owe their present positions to the respondent; hence it is not farfetched if, as a sign of gratitude, they would assume full responsibility for the incident to save the respondent governor, their benefactor.

Indeed it cannot be believed that Sabuelva and Dadula would not offer any opposition if it were Mendez and Sulante who boxed them. That they put up no resistance was because it was the respondent who struck them, out of respect to his position. Subsequent events bear out complainants' contention. Respondent sent for Sabuelva's sister and asked for forgiveness for the incident. Significantly, Provincial Warden Mendez, respondent's witness, never denied this claim during his testimony. Respondent's claim that it was Mrs. Tallafer and Sabuelva who sought forgiveness is as untenable as it is preposterous. They were the offended parties. In the ordinary course of human relations, it is the offender who asks for forgiveness from the offended party, not vice-versa.

Respondent is therefore also guilty of oppression under the complaint of Sabuelva and Dadula.

II. Misconduct

A. Respondent is next charged with oppression and usurpation of public functions by Engineer Cesar Ballesteros of the waterworks system of the National Waterworks and Sewerage Authority (NAWASA) at Pagadian, Zamboanga del Sur. The evidence for the complainant shows that on April 20, 1960, when Vicente Mediodia, the operator of the diesel engine of the waterworks system at Pagadian, reported for work, he met a person, allegedly sent by the respondent, who told him of the necessity of extending the operation of the engine. As two or three other persons, not NAWASA employees, who also claimed to have been sent by the respondent, constantly kept watch over his work, Mediodia extended the hours of operation of the engine for two weeks.

About April 23, 1960, Fidel Migue, NAWASA employee in charge of opening and closing the three principal water valves, went to the one located at Araullo Street. There he met one Intong who had a "handle" (locally called "mango") used in opening and closing the valve. Migue asked for it, but Intong replied that there was no need because he was no longer in charge thereof. Nevertheless Migue took the tool and opened the valve. Intong asked for its return, saying that he had been ordered by the respondent to take charge of the water valves. Migue refused and brought home the tool with him. In the succeeding days every time that he either opened or closed the valve, the same was undone by Intong and his companions, so he stopped performing his task.

NAWASA Engineer Ballesteros saw respondent for the return of the control of the waterworks system to the NAWASA but the latter refused. Ballesteros inspected the water valves in three streets and found that they were being opened by the provincial warden and an agent of the respondent whose men did not follow the scheduled hours of opening and closing the valves so that oftentimes water freely flowed to the house of the respondent, to the detriment of the residents in the lower section of the town. He also found agents of the respondent guarding the diesel engine.

Dioscoro Alba, the Waterworks District Engineer, sent a wire to the NAWASA General Manager in Manila, reporting that the provincial warden had removed the "handle" of the gate valve. He also went and wrote to respondent to ask for the return of the control of the system so that the NAWASA plumbers could find a solution for more equitable distribution of water so that the businessmen would begin paying their bills—to no avail. Respondent in his letter of May 10, 1960, to Engineer Alba stated that he had requested Engineer Gopez to immediately inspect the reservoir to see whether it was ready for water deposit and that as soon as the information was received and the reservoir was already filled

with water, “the agents of this office now detailed with the Pagadian Waterworks (NAWASA) would be withdrawn.”

Respondent declared that long before April 20, 1960, the people of Pagadian had been clamoring for the improvement of the waterworks system, as they had been deprived of their supply of water and it was inadequate. He called for a conference with NAWASA officials to remedy the situation but in view of their indifference no positive action was taken by them to improve the water service. So he took it upon himself to direct the Highway District Engineer to make immediate repairs of the reservoir and assigned his men to open the diesel engine during the nights just so the reservoir could be filled with water and to assist in the control of the water valves regulating the flow of water in the town. Because of the steps he had taken on the matter, the waterworks system was resumed and the people were happy. The actions taken by him were made known to the NAWASA General Manager by telegrams and letters. In view of his recommendation for the dismissal of Engineer Ballesteros for incompetence and non-cooperation, the engineer filed the instant complaint against him. Respondent admitted that on the dates in question he assigned some of his men to operate the diesel engine and the three main valves, that he did so merely to assist but not to take over the control of the water operations and that he merely acted in the interest of the general public.

From the established facts, it is apparent that the respondent actually took control, at least for some time, of the Pagadian waterworks system. This is confirmed by the fact that he requested Engineer Gopez to cause the repair of the reservoir and have it filled with water during nighttime and his men did not follow, but extended, the regular schedule of hours of operating as well as the opening and closing of the three water valves. These acts of the respondent certainly went beyond mere assisting, which means giving help or aid, but constituted actual and effective control by the exercise of power over the system.

Under Republic Act No. 1383 the waterworks systems throughout the country were placed under the direct supervision and control of the NAWASA. When the respondent therefore encroached upon said power of the NAWASA, he contravened the law. It matters not that he was prompted by good and justifiable motives. The law is clear and every one is bound to obey it. No official, however high his position may be, is above the law. One of the duties of the provincial governor is to see that the laws are faithfully executed in his jurisdiction, and when said duty is violated his act constitutes misconduct, of which he is accordingly held guilty.

B. The respondent is also charged with dishonesty and grave abuse of authority by Jose Guillar and Florencio Ubongen in that, among other things, he caused several prisoners to make hollow blocks which they used in the construction of the fence around respondent’s residential lot.

Prisoner Cabandera categorically declared that he was one of the prisoners who worked in the residential lot of the respondent. More specifically, he was among those who prepared the canal, which served as the footing of the fence, and he and others actually built the fence, having completed the eastern and southern sides of the lot and was working on the northern part when the job was stopped. He was corroborated by prisoner Princillo who testified that he helped in the construction of the fence around the same residential lot and that he was also one of those who made the hollow blocks, his particular work being to hold the mold while the other prisoners mixed cement in it.

Denying the use of prison labor in his residential lot, respondent claimed that the hollow blocks were done by paid laborers while the fence was built by a private contractor named Jose Canoy. His denial cannot prevail over the positive testimony of the prisoners mentioned. Their version appears supported by respondent’s “Answer to Additional Complaint,” wherein he stated “that respondent has never caused any prisoner to haul sand or make hollow blocks for the fence in his private lot and on the first occasion that without his knowledge, two or three prisoners appeared in the premises, he

immediately had the same prisoners return to the provincial jail.” Respondent, however, did not state when the first occasion was, whether it was during the early part of the construction or when the work stopped sometime in January 1962.

The law prohibits the use of prison labor in private properties for personal benefit. It cannot be denied that the use of said prisoners in respondent’s private property would not have been availed of were it not for his position as provincial executive. The use of prison labor for his private benefit constitutes misconduct in office.

The acts committed by respondent are believed of a serious nature amounting as they do to cruelty, grave abuse of power and authority and exploitation. In resorting to personal violence at the slightest provocation and disregarding the law which he was sworn to uphold and enforce, when he should have led, as the first citizen of the province, in observing self-restraint and respect for the law, his right to continue in office is open to serious misgivings. The higher the office, the greater measure of self-control and official decorum is required, if the incumbent is to serve as an example for others to emulate. It is officials of respondent’s type that undermine the people’s faith in the duly constituted authorities, and I am determined to eradicate that corrosive influence and bolster the people’s faith in their government.

Were respondent an appointive and not an elective official, I would have no hesitation in separating him outright from the service. However, in deference to the collective will of the electorate that voted him into office, I am constrained to go slow in taking drastic action against the respondent and to deviate from the investigator’s recommendation for his removal. It is my considered judgment that offenses of the nature committed by the respondent warrant the penalty of deprivation of office for one-half of the term of a local elective official.

Wherefore, Governor Bienvenido A. Ebarle is hereby meted out the penalty of suspension from office without pay for a period of two (2) years.

Done in the City of Manila, this 5th day of January, in the year of Our Lord, nineteen hundred and sixty-three.

(Sgd.) DIOSDADO MACAPAGAL

By the President:

(Sgd.) SALVADOR L. MARIÑO

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1963). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 45
REPRIMANDING MR. VALERIANO GATUSLAO, PROVINCIAL GOVERNOR
OF NEGROS OCCIDENTAL.

This is an administrative case against Mr. Valeriano Gatuslao, Provincial Governor of Negros Occidental, who is charged with dishonesty involving misuse of public funds (direct intervention in the illegal diversion of amounts appropriated by the provincial board for the improvement of the provincial road in Pulupandan to the construction of a sea wall for the benefit of one Zacarias Seminio, Sr.).

It appears from the findings of the investigator that the provincial board of Negros Occidental passed Resolutions Nos. 503, 640 and 723 on April 6, May 13 and 25, 1960, respectively, appropriating the aggregate sum of ₱9,000 “for the improvement of the provincial road” in Pulupandan, otherwise known as the Malecon-Pulupandan Port Road. Respondent admits that the amount was actually used in the construction of the sea wall in question. However, he asserts that the construction of the sea wall constitutes an improvement of the provincial road in Pulupandan as expressly provided in said resolutions, which were enacted because of the clamor of the residents of Pulupandan led by Mayor Julian Montilla and Board Member Mario Peña for the construction of a sea wall to protect the Malecon-Pulupandan Port Road and the land and properties in the surrounding area near the seashore of Pulupandan from destruction by the sea.

Respondent claims that upon consultation with the district engineer, the latter advised the Board that it could appropriate money from the provincial roads and bridges fund for the protection of the road and for that purpose the construction of the sea wall is a means of protection or preservation of the provincial road to prevent its destruction or deterioration by the action of the sea; that he left to the district engineer the determination of the action necessary to be taken under the resolutions; that he had no intervention in the selection of the site where the new sea wall would be constructed; and that precedents justify the construction of the sea wall out of funds appropriated for the repair, maintenance and improvement of provincial roads, citing the construction of similar sea walls in Palaca, Pulupandan, and Manapla in the same province of Negros Occidental.

The main issue is whether there was a diversion of public funds committed by the respondent in that after the board passed resolutions appropriating sums of money for the “improvement of the provincial road in Pulupandan” he, alone or jointly with others, caused the money to be used instead for the construction of the sea wall in question inspired by the dishonest motive to benefit Zacarias Seminio, Sr., his alleged political leader.

No evidence was adduced that the respondent interfered in the preparation of the plan for the construction of the sea wall and that he specifically selected Seminio’s lot where the sea wall was constructed. Neither is there any evidence to show that the construction of the sea wall was the sole and individual act of the respondent. On the contrary, it is averred that the same was decided upon after consultation among the majority of the members of the provincial board and the district engineer, and it was the latter’s view which prevailed.

The district engineer and the provincial auditor are agreed that the roads and bridges fund which, under Section 125 of the Revised Manual of Instructions to Treasurers, should be used exclusively for the “repair, maintenance, improvement and construction of provincial, city, municipal and district roads and bridges,” can be used for the construction of sea wall, as in this case, to protect not only the provincial road but also private properties in the vicinity. In other words, although the resolutions expressly appropriated the amount “for the improvement of the provincial road in Pulupandan,” the same, it is claimed, may be used to construct a sea wall in order to protect the road from adverse sea action. The construction of the sea wall, it is further claimed, was primarily intended for the protection of the provincial road but not purposely to benefit Zacarias Seminio, Sr., as charged, and that while it is true that the sea wall was constructed almost entirely on the lot belonging to Seminio, this was unavoidable because said sea wall had to be constructed as a continuation of the old sea wall which ended at a point inside Seminio’s land. Moreover, whatever benefits accrued to the latter as a result of the construction were said to be merely incidental.

It is pertinent to observe that the board resolutions voted the various sums “for the improvement of the provincial road” in Pulupandan. No incidental reference, let alone express mention, was made therein of the construction of the sea wall. The sea wall was not within the purview of said resolutions. If it was the plan and purpose to have the sea wall constructed in furtherance of the improvement of the provincial road, the resolutions should have been worded or amended accordingly, not only to obviate any doubt as to the legality of the expenditure of public funds for the purpose but also as a sign of good faith and to forestall any suspicion that the sea wall was being erected for the benefit of respondent’s friend on whose lot it was built. The alleged consultations among the respondent, the district engineer and the provincial auditor are not of record. Even if they actually occurred, I would still hold that the resolutions should have been more explicit in authorizing the construction of the sea wall and not merely predicate the same on some strained construction of doubtful force, especially considering that the money appropriated was almost totally expended for the sea wall, which thus became the primary end and not merely an incident to the direct improvement of the provincial road itself.

Public officials, it bears repeating, should observe absolute fidelity in the disbursement or expenditure of public funds. They should not allow the expenditure if it is not within the clear scope of the authorization, any doubt being resolved against the disbursement. This observation holds all the more true when friends or relatives stand to be benefited by the dubious expenditure. Lacking in requisite due care and circumspection, respondent has failed to measure up to the high standards of official conduct expected of officers and employees in the public service. In the moral regeneration drive of this administration, it cannot be overemphasized that an official’s act and conduct must not only be legal but moral as well.

For all the foregoing, Governor Valeriano Gatuslao is hereby reprimanded and admonished to observe absolute fidelity in the expenditure of public funds and to be more careful in his actuations in the future.

Done in the City of Manila, this 6th day of January, in the year of Our Lord, nineteen hundred and sixty-three.

(Sgd.) DIOSDADO MACAPAGAL

By the President:
(Sgd.) SALVADOR L. MARIÑO
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1963). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 46
AMENDING ADMINISTRATIVE ORDER NO. 317 DATED FEBRUARY 12, 1960.

By virtue of the powers vested in me by law, I, DIOSDADO MACAPAGAL, President of the Philippines, do hereby amend Administrative Order No. 317 dated February 12, 1960, by including the National Association of Fire Chiefs, safety organizations, civic societies, and labor entities among those enjoined to cooperate with the National Civil Defense Administration in the appropriate observance of Fire Prevention Week.

Done in the City of Manila, this 17th day of January, in the year of Our Lord, nineteen hundred and sixty-three.

(Sgd.) DIOSDADO MACAPAGAL

By the President:
(Sgd.) SALVADOR L. MARIÑO
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1963). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 47
REMOVING MR. ALFONSO J. JAVILLONAR FROM OFFICE AS CLERK OF COURT
OF THE COURT OF FIRST INSTANCE OF PASAY CITY.

This is an administrative case against Mr. Alfonso J. Javillonar, Clerk of Court of the Court of First Instance of Pasay City, who, together with Mr. Conrado L. Vera, collecting clerk in said court, is charged with serious dishonesty arising from the misappropriation of certain amounts deposited with the court.

During the formal investigation, only respondent Vera appeared, respondent Javillonar not having shown up even once either personally or through counsel. In fact, he appears to have absconded. The investigator, with the Secretary of Justice concurring, finds respondent Vera innocent, but respondent Javillonar guilty and recommends the latter's dismissal. Only Javillonar's case will be taken up here, as the other respondent (Vera) is under the disciplinary jurisdiction of the Commissioner of Civil Service.

It appears from the oral and documentary evidence presented during the investigation that respondent Javillonar received and misappropriated public funds in the total sum of ₱21,607.26, representing collections and deposits in the Court of First Instance of Pasay City, broken down as follows:

₱7,006.73, general collections he received from respondent Vera on May 34, 7 and 31, 1962;

₱10,400, deposits in Civil Case No. 2067-P which he withdrew from the Treasurer of Pasay City with the use of two falsified vouchers based on non-existing court orders, purporting to authorize withdrawal of the deposits, dated January 24 and July 20, 1961 (Exhs. 9-Vera, 14-Vera and 15-Vera);

₱1,800, deposit in Civil Case No. 2206-P which he likewise withdrew through falsified voucher and non-existing court order (Exhs. 13-Vera, 16-Vera); and

₱2,400, deposits also in Civil Case No. 2067-P which he withdrew apparently under the same procedure.

(The difference of ₱.53 between the amount taken by respondent Javillonar, ₱7,007.26, and the shortage found by the auditor, ₱7,007.73, is said to represent commissions charged for deposits which were included in the general collections.)

It also appears that respondent Javillonar has been accused in three criminal cases of malversation of public funds through falsification of public documents now pending in the Court of First Instance of Pasay City in connection with the fraudulent withdrawal and misappropriation of the court deposits of ₱10,400 and ₱1,800 treated above. Finally, it appears that at the end of 1961 he still had to account for ₱7,655.08 as general fund collections and that his report of withdrawals for the period from March

1960 to October 1961 was not accompanied with corresponding report of deposits, which shows that he violated his official duty to keep his financial accounts in order.

In view of the seriousness of the irregularities committed, constituting no less than dishonesty with criminal complexion, Mr. Alfonso J. Javillonar is hereby removed from office as Clerk of Court of the Court of First Instance of Pasay City effective as of the date of his preventive suspension.

Done in the City of Manila, this 30th day of January, in the year of Our Lord, nineteen hundred and sixty-three.

(Sgd.) DIOSDADO MACAPAGAL

By the President:

(Sgd.) ESTANISLAO R. BERNAL

Assistant Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1963). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 48
AUTHORIZING THE FGU INSURANCE CORPORATION TO BECOME A SURETY UPON
OFFICIAL RECOGNIZANCES, STIPULATIONS, BONDS AND UNDERTAKINGS.

WHEREAS, Section 1 of Act No. 536, as amended by Act No. 2206, provides that whenever any recognizance, stipulation, bond or undertaking conditioned for the faithful performance of any duty or of any contract made with any public authority, national, provincial, municipal, or otherwise, or of any undertaking, or for doing or refraining from doing anything in such recognizance, stipulation, bond or undertaking specified is, by the laws of the Philippines or by the regulations or resolutions of any public authority therein, required or permitted to be given with one surety or with two or more sureties, the execution of the same or the guaranteeing of the performance of the condition thereof shall be sufficient when executed or guaranteed solely by any corporation organized under the laws of the Philippines, having power to guarantee the fidelity of persons holding positions of public or private trust and to execute and guarantee bonds or undertakings in judicial proceedings and to agree to the faithful performance of any contract or undertaking made with any public authority;

WHEREAS, said section further provides “that no head of department, court, judge, officer, board, or body, whether executive, legislative or judicial, shall approve or accept any corporation as surety on any recognizance, stipulation, bond, contract, or undertaking unless such corporation has been authorized to do business in the Philippines in accordance with the provisions of said Act No. 536, as amended, nor unless such corporation has, by contract with the Government of the Philippines, been authorized to become a surety upon official recognizances, stipulations, bonds and undertakings; and

WHEREAS, the FGU INSURANCE CORPORATION is a domestic corporation organized and existing under the laws of the Republic of the Philippines and fulfills the conditions prescribed by said Act No. 536, as amended;

NOW, THEREFORE, I, DIOSDADO MACAPAGAL, President of the Philippines, by virtue of the powers vested in me by law, do hereby authorize the FGU INSURANCE CORPORATION to become a surety upon official recognizances, stipulations, bonds and undertakings, in such manner and under such conditions as are provided by law, subject to the conditions that the total amount of government bonds that it may issue, shall not, at any time, exceed its admitted assets and that the contributed surplus fund shall not, at any time, be withdrawn and paid back in cash to the contributing stockholders without prior recommendation and justification by the Insurance Commissioner duly approved by the Secretary of Finance.

Done in the City of Manila, this 2nd day of February, in the year of Our Lord, nineteen hundred and sixty-three.

(Sgd.) DIOSDADO MACAPAGAL

By the President:
(Sgd.) ESTANISLAO R. BERNAL
Assistant Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1963). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 49
REMOVING MR. MANUEL VALLEY AS CHIEF OF POLICE OF CALBAYOG CITY.

This is an administrative case filed by Atty. Antonio R. Enriquez against Mr. Manuel Valley, chief of police of Calbayog City, for (1) electioneering and terrorism, (2) grave abuse of authority and usurpation of official functions and (3) conduct unbecoming a public official.

The charges were investigated by Major Francisco Omaña, staff judge advocate of the III PC Zone, who was designated special investigator by this Office.

In support of the charge of electioneering and terrorism, complainant's witnesses testified that respondent wrote on a propaganda leaflet of congressional candidate Luto the following: "Garcia Pres. Puyat Vice Rosales Senator Luto Represen" (Exhs. A-1, A-2); that he held a public meeting in Barrio Osmeña, Calbayog City, attended by about 200 persons, and strongly endorsed the candidacy of said candidates; and that on November 14, 1961 (election day), respondent, with members of his police force who were fully armed, a PC soldier and a certain Attorney Casurao, arrived at Barrio Costa Rica, Almagro, a municipality outside the jurisdiction of Calbayog City, and threatened to kill the wife of Pedro Jao, a leader of congressional candidate Yancha, and that he also held a public meeting espousing the candidacies of Garcia, Puyat, Rosales and Luto.

As to the charge of grave abuse of authority, Tarciano Asis alleged that he was maltreated and mauled by respondent outside the public market of Calbayog City and by certain policemen on respondent's orders.

No specific evidence appears to have been introduced to substantiate the charge of usurpation of official functions in that respondent arrogated unto himself and discharged the functions of the police in Almagro or of the Philippine Constabulary stationed therein, and of conduct unbecoming a public official in that he made public speeches as if he were a candidate and boasted about the venalities he committed in the previous election. However, Corporal Jumangit of the Philippine Constabulary, detailed to the municipality of Almagro to preserve peace and order during election day, testified that respondent gave him advice on certain voting procedures to avoid confusion which he followed for being sound. Evidence was also introduced that respondent ordered the impounding of a jeepney driven by a certain Pablo Dequitan on election day.

Denying the imputations against him of complainant's witnesses, respondent declared that his presence in Almagro was in obedience to a telegram he had received that armed goons of congressional candidate Yancha were set to terrorize voters in the island municipalities of Sto. Niño and Almagro, and that rough seas drove them there. He claimed that Asis, whom he allegedly mauled, was a habitual criminal offender and that on the day of the alleged mauling, he merely helped disarm him of a slingshot and arrow and a butcher knife, because Asis was resisting arrest on a warrant for frustrated murder.

The issues are factual; that is, whether respondent as chief of police of Calbayog City committed the offenses charged.

As regards electioneering, the investigator found that there were striking similarities between the letter strokes written on the propaganda leaflet of Luto allegedly made by respondent (Exh. A-2)

and those in the specimen respondent was made to write during the investigation (Exh. M-2) but that the evidence in this regard was insufficient to support the charge that the disputed writing on the propaganda leaflet was made by respondent. He therefore recommends submission of the matter to a handwriting expert to ascertain whether the respondent really wrote the questioned writing.

The allegation that respondent held a public meeting at Barrio Osmeña, Calbayog City, wherein he endorsed the candidacies of Garcia, Puyat, Rosales and Luto was found by the investigator as not deserving of “any consideration, for it was highly improbable for the respondent Chief of Police to have allegedly called the said public meeting by himself and spoke alone in that meeting before about 200 persons, taking into consideration the maturity and experience of the respondent as a public officer; and that the evidence was based on the testimonies of Jacinto Dealagdon and Eugenio Degenio, all residents of Bo. La Paz, Calbayog City and LP followers . . .”

Respondent was absolved by the investigator from “any act bordering on abuse of authority” under the charge that he ordered the impounding of a jeepney during election day, because the evidence shows that it was Lieutenant Punay, the traffic officer, who had ordered the apprehension of the vehicle for traffic violations and that the officer responsible for the release of the jeep was Captain Dagomon, the assistant chief of police.

In connection with the trip of Pvt. Malindog of the Philippine Constabulary together with the group of respondent to Barrio Costa Rica, Almagro, on election day, the investigator found that the PC soldier went on his own volition in defiance of the orders of his superiors.

However, the investigator found the evidence sufficient to establish the fact that respondent in the company of Attorney Diosdado Casurao, a private secretary to Ex-Senator Rosales, Pvt. Malindog of the Philippine Constabulary and four members of the police force of Calbayog City all in fatigue uniform and with firearms, including a submachine gun, were in the barrios of Costa Rica, Quinanasan and Kirikiti and the poblacion of Almagro, outside the jurisdiction of Calbayog City, on election day of November 14, 1961, wherein their mere presence caused consternation and fear among the voters “although the voting was continued, peaceful and orderly.”

Respondent’s defense that his group’s presence there was caused by rough seas which carried them to the island municipality of Almagro was not given credence, as the evidence shows that respondent deliberately planned the trip. His claim that he was there on orders of Mayor Roño was found unsubstantiated by evidence because the basis thereof, which was the telegram stating “advice senator guns loaded on motor bancas bearing Yancha streamers terrorize Sto. Niño Almagro confirmed by eyewitnesses,” was dated November 10, or four days before election day, and that the municipalities mentioned therein were outside his jurisdiction as chief of police of Calbayog City, in view of which the Philippine Constabulary could have been sufficiently forewarned without respondent’s having to go there.

A note allegedly authorizing respondent to go to Calbayog City and requesting the governor to ask the PC Provincial Commander to send patrols to the north to verify possible tampering of returns was not given credence by the investigator because it “must have been sent after the elections for the same refers to the tampering of votes.” However, the investigator found that respondent, while in the island municipality, did not electioneer or commit an abuse of authority or that he “attempted to exercise any police function thereat.”

The investigator did not believe the allegation that respondent maltreated Tarciano Asis because of the fact that the latter was a habitual criminal offender and that at the time of the alleged mauling Asis was resisting arrest for frustrated murder under a warrant issued by the municipal court of Calbayog City. The investigator concluded that the bruises on Asis’ body must have been caused by the arresting officers when he resisted arrest.

On the basis of his findings, the investigator recommends that disciplinary action be taken against the respondent for his unauthorized presence with armed men in the barrios of Costa Rica, Guinananan and Kirikite and the poblacion of Almagro during the November 14, 1961, election and that if evidence warrants, proper criminal action be filed in court.

After a review of the records, I deem it unnecessary to have the handwriting specimens submitted to an expert. Even if it be true that respondent wrote the names of Garcia for President, Puyat for Vice-President, Rosales for Senator and Luto for Representative on a propaganda leaflet of the latter, the same would not be sufficient to convict him for electioneering, as the law does not prohibit a civil service officer or employee from mentioning the names of the candidates that he favors (Sec. 29, Rep. Act No. 2260). In the absence of evidence that respondent actively campaigned for certain candidates, he must be acquitted of the charge.

However, it is an undeniable fact that respondent, with six other fully armed companions, was present in certain barrios of Almagro during election day. What remains to be determined is his responsibility in this show of force. The investigator held that respondent and his group did not commit any act of electioneering, terrorism, abuse of authority or usurpation, as he merely told the gathering at Barrio Costa Rica that his group was there to meet the armed goons of congressional candidate Yancha, although its presence there was without authority, caused consternation and fear among the voters and might have affected the voting trend.

Contrary to the investigator's conclusion, I believe that the respondent is guilty of terrorism under the attendant circumstances, it being admitted that his group's armed presence, which was unauthorized, caused such fear and apprehension among the voters as to have affected the trend of the voting and the free and untrammelled exercise of their right of suffrage. I am foursquare against coercion or terrorism under any guise or form, direct or indirect, in the conduct of elections, the free ballot being the foundation of a true democracy and the effective medium of the citizen in the administration of governmental affairs. Respondent's liability is aggravated by the fact that he is a police officer, being no less than the chief of police, and as such was supposed to be the guardian of peace and order and not its irritant. That should never be countenanced but dealt with firmly. I am therefore constrained to take drastic action against him.

Wherefore, Mr. Manuel Valley is hereby removed from office as chief of police of Calbayog City.

Done in the City of Manila, this 14th day of February, in the year of Our Lord, nineteen hundred and sixty-three.

(Sgd.) DIOSDADO MACAPAGAL

By the President:

(Sgd.) SALVADOR L. MARIÑO

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1963). [*Administrative Order Nos.: 1 - 191*]. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 50
AUTHORIZING THE R AND B ASSURANCE CORPORATION TO BECOME A SURETY UPON
OFFICIAL RECOGNIZANCES, STIPULATIONS, BONDS AND UNDERTAKINGS.

WHEREAS, Section 1 of Act No. 536, as amended by Act No. 2206, provides that whenever any recognizance, stipulation, bond or undertaking conditioned for the faithful performance of any duty or of any contract made with any public authority, national, provincial, municipal or otherwise, or of any undertaking, or for doing or refraining from doing anything in such recognizance, stipulation, bond or undertaking specified is, by the laws of the Philippines or by the regulations or resolutions of any public authority therein, required or permitted to be given with one surety or with two or more sureties, the execution of the same or the guaranteeing of the performance of the condition thereof shall be sufficient when executed or guaranteed solely by any corporation organized under the laws of the Philippines, having power to guarantee the fidelity of persons holding positions of public or private trust and to execute and guarantee bonds or undertakings in judicial proceedings and to agree to the faithful performance of any contract or undertaking made with any public authority;

WHEREAS, the said section further provides that no head of department, court, judge, officer, board or body, whether executive, legislative, or judicial shall approve or accept any corporation as surety on any recognizance, stipulation, bond, contract, or undertaking unless such corporation has been authorized to do business in the Philippines in accordance with the provisions of said Act No. 536, as amended, nor unless such corporation has, by contract with the Government of the Philippines, been authorized to become a surety upon official recognizances, stipulations, bonds and undertakings; and

WHEREAS, the R and B ASSURANCE CORPORATION is a domestic corporation organized and existing under the laws of the Republic of the Philippines and fulfills the conditions prescribed by said Act No. 536, as amended;

NOW, THEREFORE, I, DIOSDADO MACAPAGAL, President of the Philippines, by virtue of the powers vested in me by law, do hereby authorize the R and B ASSURANCE CORPORATION to become a surety upon official recognizances, stipulations, bonds and undertakings in such manner and under such conditions as are provided by law, subject to the conditions that the total amount of government bonds that it may issue shall not, at any time, exceed its admitted assets and that the contributed surplus fund shall not, at any time, be withdrawn and paid back in cash to the contributing stockholders without prior recommendation and justification by the Insurance Commissioner duly approved by the Secretary of Finance.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the Republic of the Philippines to be affixed.

Done in the City of Manila, this 25th day of February, in the year of Our Lord, nineteen hundred and sixty-three.

(Sgd.) DIOSDADO MACAPAGAL

By the President:
(Sgd.) SALVADOR L. MARIÑO
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1963). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 51
CONSIDERING MR. EDMUNDO M. RUADO RESIGNED AND SEPARATED
AS ASSISTANT PROVINCIAL FISCAL OF ROMBLON.

This is an administrative case against Assistant Provincial Fiscal Edmundo M. Ruado of Romblon for immorality, serious misconduct, unfitness and incompetence, initiated in separate complaints by Martina M. Montaña and her father, Jose Montaña.

As both complaints substantially refer to the same matter, they were consolidated and formally heard by a special prosecutor of the Department of Justice who found respondent guilty of immorality.

The facts are undisputed. Complainant Martina Montaña, single, then 28 years of age and an employee in the office of the Provincial Governor of Romblon, met and came to know respondent early in 1955 when he was a public defender of said province. He courted her and they became engaged in the latter part of 1956. They continued their relationship up to January 1959 when respondent was occupying his present position. He told her that his parents did not want him to marry her, so they broke their engagement.

Thereafter Martina transferred to the Bureau of Public Highways in Manila. Before her departure respondent proposed to marry her secretly which she did not accept. While she was in Manila, respondent used to visit her, and their love relations were renewed. On one occasion he invited her to take a ride on Dewey Boulevard, and they eventually ended in a hotel where he succeeded in having intimate relations with her upon a promise of marriage. Subsequently they had two more carnal communications, with the result that she gave birth to a child.

Respondent admitted his relations with Miss Montaña, as well as the paternity of the child whom he promised to support. His defense is that when he courted her and had carnal knowledge of her, he was sincere in his intentions but was prevented from fulfilling his promise by what he called an insuperable force, which was the opposition of his parents. It is pointed out that the offense complained of did not happen in Romblon but in Manila where the affair was conducted discreetly; that it had no connection with his official duties and neither did he take advantage of his official position; and that all the blame could not be laid on him, as Miss Montaña was of mature age (32 years at the time), educated and intelligent.

The above circumstances alluded to by respondent may be true, but the naked fact remains that immorality was committed with him as instigator resulting in the birth of an illegitimate child. When a man has carnal knowledge of a woman not his wife he commits immorality, aggravated in this case by the patent scandal arising from the birth of a child out of wedlock and by respondent's failure to keep his promise to marry her. A public servant's private life should be as impeccable as his public service should be dedicated. This administration, committed as it is to the policy of moral regeneration not only in the private sector but more so in the public service, cannot view such serious moral lapses as that committed by the respondent with tolerance, benignity and indifference. High standards of morality are required and expected of every one in the government service.

WHEREFORE, and consistently with the moral tone of the administration and in order to serve as a warning to others who may be similarly inclined, Assistant Provincial Fiscal Edmundo M. Ruado of Romblon is hereby considered resigned and separated from the service effective upon receipt of a copy of this order.

Done in the City of Manila, this 25th day of February, in the year of Our Lord, nineteen hundred and sixty-three.

(Sgd.) DIOSDADO MACAPAGAL

By the President:

(Sgd.) SALVADOR L. MARIÑO

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1963). [*Administrative Order Nos.: 1 - 191*]. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 52
MODIFYING ADMINISTRATIVE ORDER NO. 326 DATED MARCH 26, 1960,
CONCERNING REGISTER OF DEEDS VICENTE M. CAPELLAN OF ISABELA.

Mr. Vicente M. Capellan was removed from office as Register of Deeds of Isabela under Administrative Order No. 326, dated March 26, 1960, for (1) neglect of duty and violation of office regulations for failing to answer official correspondence and (2) delivering a land title to one not authorized to receive it. His dismissal was based on the presumption of admission of guilt because of his failure to file an answer to the charges. No formal hearing was had.

Upon his petition for reconsideration supported by documentary evidence that the delivery of the title in question was pursuant to a court order, the reinvestigation of the case was authorized insofar as the alleged erroneous delivery of the certificate of title was concerned.

The reinvestigation shows that the registered owners of the property covered by original certificate of Title No. 5431 were Tomas Agasig and Felipa Responso; that upon the death of Tomas, his widow, Felipa, filed on July 13, 1955, through Atty. Quintin Alcid a petition in the Court of First Instance of Isabela for the issuance of a second owner's copy of said certificate of title in her name; that after due hearing the court issued an order dated August 1, 1955, directing the Register of Deeds of Isabela to issue another owner's duplicate of title in the name of Felipa Responso; that Atty. Alcid presented to the Register of Deeds copies of the petition and the court order; and that after the entry and registration fees were paid by Atty. Alcid and the corresponding annotations made on the original title, a new owner's duplicate of title was issued and delivered to Atty. Alcid in representation of Felipa Responso.

From the evidence adduced it is apparent that respondent was justified in delivering the owner's duplicate of original certificate of title No. 5431 to Atty. Alcid, considering that he was the counsel of the registered owner and he was the one who presented for registration the copies of the petition and the order of the court. The interest of complainant Filemon de la Cruz came to be known only on August 27, 1955, or much later, when he filed his adverse claim. Respondent could not have known that De la Cruz was interested in the property before the issuance of the second owner's duplicate of title and its delivery to Atty. Alcid.

Under the circumstances, the Undersecretary of Justice recommends that the respondent be reinstated as Register of Deeds and that he be considered as suspended without pay during the period of his separation in view of his other proven fault of ignoring and violating office rules and ignoring correspondence; or, if his reinstatement is no longer feasible, that he be allowed to resign without prejudice to his reinstatement in any other branch of the government service and to his enjoyment of whatever leave or retirement privileges that had accrued in his favor at the time of his separation from the service. The records show that another, Francisco Claravall, was appointed in a permanent capacity in respondent's place on December 4, 1962.

Even if respondent is not guilty of the charge of making erroneous delivery of the owner's duplicate of title, I believe that his proven fault of ignoring and violating office rules and regulations by

not answering official correspondence, which was habitual on his part, is sufficiently serious to warrant his noncontinuance in the service. However, I believe that it will not be straining the quality of mercy if he is allowed to enjoy certain benefits in consequence of his service in the government.

Wherefore, Administrative Order No. 326 dated March 26, 1960, is hereby modified in the sense that Mr. Capellan is considered resigned as Register of Deeds of Isabela, effective as of the date of said order, without prejudice to his enjoyment of whatever leave or retirement privileges that had accrued in his favor at the time of his separation.

Done in the City of Manila, this 25th day of February, in the year of Our Lord, nineteen hundred and sixty-three.

(Sgd.) DIOSDADO MACAPAGAL

By the President:

(Sgd.) SALVADOR L. MARIÑO

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1963). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 53
REMOVING MR. ANASTACIO BUDLONG FROM OFFICE AS JUSTICE OF THE PEACE
OF CARAGA, DAVAO.

This is an administrative case filed by Elpidio Gumobao against Justice of the Peace Anastacio Budlong of Caraga, Davao, for conduct unbecoming a public official in (1) ordering the numbering and marking of complainant's coconut trees, (2) calling complainant names and challenging him to a fist fight or gun duel and (3) causing the filing of a complaint for qualified theft against him. Respondent admits the second count and denies the rest. The case was investigated by the District Judge who found respondent guilty on all counts and recommended his dismissal.

Prior to February 1958 there was a land dispute between complainant Elpidio Gumobao and Ricardo Santos which ended in an amicable settlement. A barbed wire fence was placed on the boundary line of their lands. In the morning of February 2, 1958, Gumobao went to his property and saw that some coconut trees within his property were numbered from 1 to 40 and marked with the initials "EG". Believing that the markings would reduce the number of his coconut trees and the area of his land, he reported the matter to the chief of police of Caraga. That day being Sunday, he was told to return the following day which he did. Patrolman Burgos was assigned to accompany him to his farm. On the way they met a certain Pedro del Monte who told them that he and one Restituto made the markings on complainant's coconuts by respondent's direction.

Upon returning to the police station, Burgos prepared his report for entry in the police blotter. As the blotterman, Patrolman Pakindungan was entering the report in the blotter, respondent arrived, grabbed the report upon reading his name therein, crumpled it and placed it in his pocket. Then he seized the blotter from Patrolman Pakindungan. An altercation ensued between complainant and respondent, in the course of which the latter challenge the former to a fist fight or gun duel. He also said, "Why do you have to enter that in the blotter? You are not a big shot." Complainant replied, "This is a democratic country. Even the Aetas can talk. Our government is common to all." Respondent told complainant that he would file a case for qualified theft against him and that he better prepare his bond for ₱15,000. On February 4, 1958, a criminal complaint for qualified theft was presented against herein complainant in respondent's court and unable to file the bond fixed at ₱9,000 he stayed in jail for 13 days.

Although respondent denied having anything to do with the marking of complainant's coconut trees, the weight of evidence points otherwise. Patrolman Pakindungan declared that respondent admitted having caused the marks to be placed. Equally unconvincing is his denial of participation in the filing of the criminal complaint. His interest in the land dispute is readily understandable. He was then courting and later married the daughter of Amparo Vda. de Santos, the complainant in the theft case. As observed by the investigating Judge:

"The filing of the criminal case for qualified theft against Elpidio Gumobao on February 4, 1958, is not a matter of coincidence. The complaint involved nuts

allegedly stolen in July, 1957, October, 1957, and January, 1958. It is strange that the case was investigated on February 2, 1958, Sunday, and filed on February 4, 1958, the day following the incident between the respondent justice of the peace and Elpidio Gumobao. Moreover, and of equal and conclusive significance, the respondent was courting and eventually married one of the daughters of Amparo Vda. de Santos, the complaining witness in the theft case.”

Respondent’s acts and behavior show that he is utterly unfit to remain in the judiciary. In challenging complainant to a fist fight or gun duel and instigating the filing of a criminal complaint against him for revenge, respondent not only committed serious offenses but also prostituted and brought disrepute to his office. As aptly observed by the District Judge, public officials who use their office as instruments for abuse, for intimidation of the common man, and for revenge have no place in the government.

Wherefore, Mr. Anastacio Budlong is hereby removed from office as justice of the peace of Caraga, Davao.

Done in the City of Manila, this 25th day of February, in the year of Our Lord, nineteen hundred and sixty-three.

(Sgd.) DIOSDADO MACAPAGAL

By the President:

(Sgd.) SALVADOR L. MARIÑO

Executive Secretary

Source: Malacañang Records Office

Office of the President of the Philippines. (1963). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACANANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 54

CONSIDERING MR. PIO DIMACULANGAN RESIGNED FROM OFFICE AS CLERK
OF COURT AND PROVINCIAL SHERIFF EX-OFFICIO OF PALAWAN.

This administrative case was instituted against Mr. Pio L. Dimaculangan, Clerk of Court and Provincial Sheriff Ex-Officio of Palawan, and his deputy, Mr. Damaso V. Griño, at the instance of the auditor of the Rehabilitation Finance Corporation (RFC), now Development Bank of the Philippines (DBP), for alleged dishonesty. The case was investigated by the District Judge.

As Griño is under the jurisdiction of the Commissioner of Civil Service, this decision is concerned only with the case of Dimaculangan.

Sometime in July 1957 respondent Dimaculangan and Griño went to Coron, Palawan, to make an extra-judicial foreclosure of a chattel mortgage executed by one Francisco Reyes in favor of the RFC over properties of the debtor-mortgagor valued at more than ₱60,000. Dimaculangan stayed in Coron for 48 days and Griño 21 days. They and two other companions stayed in the house of Mrs. Rufina Buñol. Dimaculangan was given a cash advance of ₱300.

After their return to Puerto Princesa, Dimaculangan and Griño submitted their travel expenses vouchers with supporting receipts bearing the residence certificate numbers of the payees. The receipt submitted by Dimaculangan purports to indicate that Mrs. Buñol received the amount of ₱576 from him “as payment for subsistence from July 15 to August 31, 1957, or 48 days at Coron, Palawan, at ₱12.00 a day and per diems.”

Suspicious of the correctness of the vouchers, the auditor of the RFC requested the provincial auditor of Palawan to cause an inquiry to be made, and Deputy Provincial Auditor Pedro Callejo was sent to Coron for the purpose. Callejo found, among other things, that the signature of Mrs. Buñol was genuine although she claimed that she signed the form when it was still blank and that she received only ₱170 from Dimaculangan. He also found that the residence certificate number given in the supporting receipt belonged to another resident of Coron.

Dimaculangan alleged that the ₱170 given by him to Mrs. Buñol was partial payment as he intended to pay the balance, and did pay ₱30 more on account, later, as corroborated by her affidavit executed on August 31, 1959; that the receipt signed by Mrs. Buñol was intended, so he told her then, to cover not only the cost of subsistence due her but also the house rent due another party, his repasts outside and per diems; that he did this for convenience to obviate presenting separate and further claims and receipts to the RFC; that at any rate he was entitled to a per diem of ₱12 because on a previous occasion he was paid at that rate by the RFC for similar service; and that the details concerning the residence certificate of Mrs. Buñol were supplied by her. Respondent insists that there was no malicious intent on his part to defraud the RFC as he was merely claiming what he was entitled to, based on the action taken on his prior claim. He also claims that he has been in the government service for 37 years and that this is his first administrative case.

It may be deemed conclusively established that Mrs. Buñol received only ₱170; that her supposed residence certificate was not hers; that respondent received ₱12 per day for similar service before; and

that in addition to his cash advance of ₱300 he was given ₱166 more by the RFC, even after the institution of the present case against him.

Respondent's explanation is palpably unsatisfactory. He should not have included in the receipt signed by Mrs. Buñol alleged expenses incurred by him elsewhere not payable to her as the receipt purported to convey. Neither could it be justified on the claim of convenience and expediency.

Even if respondent had no intention of defrauding the RFC in the sense that he was merely trying to collect what he believe he was entitled to, the cold fact remains that he made false statements both as to the amount claimed to have been received from him by Mrs. Buñol and as to her residence certificate in the reimbursement receipt submitted by him.

The respondent is, therefore, guilty of the administrative offense charged. In the determination of the penalty, the fact that he has been in the service for 37 years should be given consideration.

Wherefore, Mr. Pio L. Dimaculangan is hereby considered resigned from the service effective upon receipt of a copy hereof, without prejudice to such leave and retirement benefits as he may be entitled to.

Done in the City of Manila, this 25th day of February, in the year of Our Lord, nineteen hundred and sixty-three.

(Sgd.) DIOSDADO MACAPAGAL

By the President:

(Sgd.) SALVADOR L. MARIÑO

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1963). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 55
AUTHORIZING THE DEVELOPMENT INSURANCE & SURETY CORPORATION
TO BECOME A SURETY UPON OFFICIAL RECOGNIZANCES, STIPULATIONS, BONDS
AND UNDERTAKINGS.

WHEREAS, Section 1 of Act No. 536, as amended by Act No. 2206, provides that whenever any recognizance, stipulation, bond or undertaking conditioned for the faithful performance of any duty or of any contract made with any public authority, national, provincial, municipal or otherwise, or of any undertaking, or for doing or refraining from doing anything in such recognizance, stipulation, bond or undertaking specified is, by the laws of the Philippines or by the regulations or resolutions of any public authority therein, required or permitted to be given with one surety or with two or more sureties, the execution of the same or the guaranteeing of the performance of the condition thereof shall be sufficient when executed or guaranteed solely by any corporation organized under the laws of the Philippines, having power to guarantee the fidelity of persons holding positions of public or private trust and to execute and guarantee bonds or undertakings in judicial proceedings and to agree to the faithful performance of any contract or undertaking made with any public authority;

WHEREAS, said section further provides that no head of department, court, judge, officer, board or body, whether executive, legislative or judicial shall, approve or accept any corporation as surety on any recognizance, stipulation, bond, contract, or undertaking unless such corporation has been authorized to do business in the Philippines in accordance with the provisions of said Act No. 536, as amended, nor unless such corporation has, by contract with the Government of the Republic of the Philippines, been authorized to become a surety upon official recognizances, stipulations, bonds and undertakings; and

WHEREAS, the DEVELOPMENT INSURANCE & SURETY CORPORATION is a domestic corporation organized and existing under the laws of the Republic of the Philippines and fulfills the conditions prescribed by said Act No. 536, as amended;

NOW, THEREFORE, I, DIOSDADO MACAPAGAL, President of the Philippines, by virtue of the powers vested in me by law, do hereby authorize the DEVELOPMENT INSURANCE & SURETY CORPORATION, to become a surety upon official recognizances, stipulations, bonds and undertakings in such manner and under such conditions as are provided by law, subject to the conditions that the total amount of government bonds that it may issue shall not, at any time, exceed its admitted assets and that the amount constituting the contributed surplus fund shall not be withdrawn and paid back in cash to the contributing stockholders without prior recommendation of the Insurance Commissioner duly approved by the Secretary of Finance.

Done in the City of Manila, this 12th day of March, in the year of Our Lord, nineteen hundred and sixty-three.

(Sgd.) DIOSDADO MACAPAGAL

By the President:
(Sgd.) SALVADOR L. MARIÑO
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1963). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 56
CREATING A COMMITTEE TO STUDY A GENERAL READJUSTMENT
OF SALARIES OF GOVERNMENT OFFICIALS.

WHEREAS, there is evident, confusing and in many cases unjust disparity of salaries among officials in the three branches of government and its agencies and instrumentalities; and

WHEREAS, there is need for an updated, systematic and realistic study of the existing salary scales of government officials for the preparation of corrective legislative measures and the coordination of pending bills on the matter.

NOW, THEREFORE, I, DIOSDADO MACAPAGAL, President of the Philippines, by virtue of the powers vested in me by law, do hereby create a committee to undertake a study and submit recommendations on salaries of all officials in the government and its agencies and instrumentalities, including government-owned or controlled corporations.

Hon. Salvador L. Mariño, Executive Secretary	Chairman
Hon. Faustino Sy-Changco, Commissioner of the Budget	Member
Hon. Pedro M. Gimenez, Auditor General	Member
A representative of the President of the Senate	Member
A representative of the Speaker of the House of Representatives	Member
A representative of the Chief Justice of the Supreme Court	Member
Hon. Manuel Cuenco, Economic Administrator	Member

The Committee shall meet at the call of the Chairman and, for the purpose of discharging its functions, is hereby authorized to call upon any department, bureau, office, agency or instrumentality of the Government for such information and assistance as it may require in the performance of its work.

The Committee shall submit to the President its report and recommendations as soon as possible.

Done in the City of Manila, this 20th day of March, in the year of Our Lord, nineteen hundred and sixty-three.

(Sgd.) DIOSDADO MACAPAGAL

By the President:
(Sgd.) SALVADOR L. MARIÑO
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1963). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 57**MODIFYING ADMINISTRATIVE ORDER NO. 70 DATED OCTOBER 27, 1948, CONCERNING
MR. NICOMEDES GARCIA, FORMER JUSTICE OF THE PEACE OF POLILLO, QUEZON.**

This is a request for reconsideration of the decision in the administrative case against Mr. Nicomedes Garcia who was removed as justice of the peace of Polillo, Quezon, for abuse of authority and corruption in office, under Administrative Order No. 70 dated October 27, 1948.

After considering, among other things, the length of time that has elapsed since his dismissal, I believe that the severity of his removal may now be tempered.

WHEREFORE, Administrative Order No. 70 dated October 27, 1948, is hereby modified in the sense that respondent is considered resigned, without right to any benefits under the law.

Done in the City of Manila, this 1st day of April, in the year of Our Lord, nineteen hundred and sixty-three.

(Sgd.) DIOSDADO MACAPAGAL

By the President:
(Sgd.) SALVADOR L. MARIÑO
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1963). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 58
CREATING A COMMITTEE TO STUDY AND RECOMMEND SOLUTION
TO THE SQUATTERS' PROBLEM.

By virtue of the powers vested in me by law, I, DIOSDADO MACAPAGAL, President of the Philippines, do hereby create a committee composed of the following:

The Executive Secretary	Chairman
The Secretary of Labor	Member
The Social Welfare Administrator	Member
The Undersecretary of Justice	Member
The Undersecretary of National Defense	Member
The Undersecretary of Public Works	Member
A civic leader with background on real estate	Member
The Director of Lands	Member
The Director of Forestry	Member
The General Manager, National Resettlement and Rehabilitation Administration	Member
The Chairman-General Manager, Land Tenure Administration	Member
The General Manager, People's Homesite and Housing Corporation	Member
The General Manager, Home Financing Commission	Member
The General Manager, Government Service Insurance System	Member

to study and recommend solution to the squatters' problem which has become nation-wide in scope.

The committee shall study all aspects of the squatters' problem, both in urban and rural areas, including the matter of locating sites for the resettlement of squatters, and recommend measures for its permanent solution.

The committee is hereby empowered to call upon any department, bureau, office, agency or instrumentality of the government for such assistance as it may need in discharging its duties.

The committee shall submit its report and recommendation as soon as possible.

Done in the City of Manila, this 17th day of April, in the year of Our Lord, nineteen hundred and sixty-three.

(Sgd.) DIOSDADO MACAPAGAL

By the President:
(Sgd.) SALVADOR L. MARIÑO
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1963). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 59
CREATING A NATIONAL COMMITTEE TO TAKE CHARGE OF THE CELEBRATION
OF PHILIPPINE INDEPENDENCE DAY ON JUNE 12, 1963.

Pursuant to the powers vested in me by law, I, DIOSDADO MACAPAGAL, President of the Philippines, do hereby create a National Committee to take charge of the celebration of Philippine Independence Day on June 12, 1963, as declared in Proclamation No. 28 dated May 12, 1962.

The Committee shall be composed of the following:

The Secretary of Education	Chairman
The Undersecretary of National Defense	Vice-Chairman
The Undersecretary of Public Works and Communications	Member
The Undersecretary of Labor	Member
The Deputy Administrator of Economic Coordination	Member
The Malacañang Press Secretary	Member
The Deputy Commissioner of the Budget	Member
The City Mayor of Manila	Member
The Director of Public Libraries	Member
The Director of National Museum	Member
The Consulting Architect, Bureau of Public Works	Member
The President, Philippine Association of Colleges and Universities (PACU)	Member
The President, Veterans Federation of the Philippines	Member
The President, National Press Club of the Philippines	Member
The President, Civic Assembly of Women of the Philippines	Member
Mr. Lamberto V. Avellana	Member
Mr. Manuel Collas	Member
The Presidential Protocol Officer	Member-Secretary

The Committee shall meet at the call of the Chairman and, for the purpose of discharging its functions, may create such sub-committee as may be necessary.

Done in the City of Manila, this 9th day of May, in the year of Our Lord, nineteen hundred and sixty-three.

(Sgd.) DIOSDADO MACAPAGAL

By the President:
(Sgd.) SALVADOR L. MARIÑO
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1963). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 60
AUTHORIZING THE PHILIPPINE BRITISH ASSURANCE COMPANY, INC.,
TO BECOME A SURETY UPON OFFICIAL RECOGNIZANCES, STIPULATIONS,
BONDS AND UNDERTAKINGS.

WHEREAS, Section 1 of Act No. 536, as amended by Act No. 2206, provides that whenever any recognizance, stipulation, bond or undertaking conditioned for the faithful performance of any duty or of any contract made with any public authority, national, provincial, municipal or otherwise, or of any undertaking, or for doing or refraining from doing anything in such recognizance, stipulation, bond or undertaking specified is, by the laws of the Philippines or by the regulations or resolutions of any public authority therein, required or permitted to be given with one surety or with two or more sureties, the execution of the same or the guaranteeing of the performance of the condition thereof shall be sufficient when executed or guaranteed solely by any corporation organized under the laws of the Philippines, having power to guarantee the fidelity of persons holding positions of public or private trust and to execute and guarantee bonds or undertakings in judicial proceedings and to agree to the faithful performance of any contract or undertaking made with any public authority;

WHEREAS, said section further provides that no head of department, court, judge, officer, board or body, whether executive, legislative or judicial, shall approve or accept any corporation as surety on any recognizance, stipulation, bond, contract or undertaking unless such corporation has been authorized to do business in the Philippines in accordance with the provisions of said Act No. 536, as amended, nor unless such corporation has, by contract with the Government of the Philippines, been authorized to become a surety upon official recognizances, stipulations, bonds and undertakings; and

WHEREAS, the PHILIPPINE BRITISH ASSURANCE COMPANY, INC., is a domestic corporation organized and existing under the laws of the Republic of the Philippines and fulfills the conditions prescribed by said Act No. 536, as amended;

NOW, THEREFORE, I, DIOSDADO MACAPAGAL, President of the Philippines, by virtue of the powers vested in me by law, do hereby authorize the PHILIPPINE BRITISH ASSURANCE COMPANY, INC., to become a surety upon official recognizances, stipulations, bonds and undertakings in such manner and under such conditions as are provided by law, subject to the conditions that the total amount of government bonds that it may issue shall not, at any time, exceed its admitted assets and that the amount constituting the contributed surplus fund shall not be withdrawn and paid back in cash to the contributing stockholders without prior recommendation of the Insurance Commissioner duly approved by the Secretary of Finance.

Done in the City of Manila, this 25th day of May, in the year of Our Lord, nineteen hundred and sixty-three.

(Sgd.) DIOSDADO MACAPAGAL

By the President:
(Sgd.) SALVADOR L. MARIÑO
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1963). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 61
AMENDING ADMINISTRATIVE ORDER NO. 48 DATED FEBRUARY 2, 1963, ENTITLED
“AUTHORIZING THE FGU INSURANCE CORPORATION TO BECOME A SURETY UPON
OFFICIAL RECOGNIZANCES, STIPULATIONS, BONDS AND UNDERTAKINGS.”

Paragraph 4 of Administrative Order No. 48 dated February 2, 1963, is hereby amended to read as follows:

“NOW, THEREFORE, I, DIOSDADO MACAPAGAL, President of the Philippines, by virtue of the powers vested in me by law, do hereby authorize the FGU Insurance Corporation to become a surety upon official recognizances, stipulations, bonds and undertakings, in such manner and under such conditions as are provided by law, subject to the conditions that the amount constituting the contributed surplus fund shall not at anytime be withdrawn and paid back in cash to the contributing stockholders without prior recommendation and justification by the Insurance Commissioner duly approved by the Secretary of Finance, and provided further; that the moment the FGU Insurance Corporation becomes indebted to any government instrumentality or political subdivision thereof, or to any government owned or controlled corporation in the total amount of ₱50,000.00 accruing from the issuance of bonds, the same having been due and demandable, the insurance company must voluntarily desist from writing or issuing all kinds of government bonds until the outstanding liabilities in government bonds shall have been fully paid or settled. Non-payment of liabilities shall be a cause for the immediate revocation of the Administrative Order.”

Done in the City of Manila, this 6th day of June, in the year of Our Lord, nineteen hundred and sixty-three.

(Sgd.) DIOSDADO MACAPAGAL

By the President:
(Sgd.) SALVADOR L. MARIÑO
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1963). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 62
CREATING A NATIONAL COMMITTEE TO TAKE CHARGE OF THE OBSERVANCE
OF PHILIPPINE-AMERICAN FRIENDSHIP.

Pursuant to the powers vested in me by law, I, DIOSDADO MACAPAGAL, President of the Philippines, do hereby create a National Committee to take charge of the observance of July 4, 1963, in the best traditions of Philippine-American friendship.

The Committee shall be composed of the following:

The Secretary of Education	Chairman
The Secretary of National Defense	Vice-Chairman
The Secretary of Public Works and Communications	Member
The Undersecretary of Foreign Affairs	Member
The Presidential Protocol Officer	Member-Secretary

The Committee shall meet at the call of the Chairman and, for the purpose of discharging its functions, may create such sub-committees as may be necessary.

Done in the City of Manila, this 26th day of June, in the year of Our Lord, nineteen hundred and sixty-three.

(Sgd.) DIOSDADO MACAPAGAL

By the President:
(Sgd.) SALVADOR L. MARIÑO
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1963). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 63
CONSIDERING MR. LORENZO M. QUITCO RESIGNED AND SEPARATED
AS JUSTICE OF THE PEACE OF VALLADOLID, NEGROS OCCIDENTAL.

Mr. Lorenzo M. Quitco, justice of the peace of Valladolid, Negros Occidental, is charged with (1) violations of law, (2) neglect of duty and (3) partiality in his actuations in certain criminal cases of the justice of the peace court of Bago, same province.

The charges were investigated by the District Judge who found respondent guilty only of neglect of duty in having delayed the decision in a criminal case, for which he recommended that respondent be reprimanded, with a warning that repetition of similar irregularity would be dealt with more severely. However, the Department of Justice also found him guilty of making untrue statement in his certificates of service and recommended a stiffer penalty.

It appears that on March 12, 1958, the chief of police of Bago, Negros Occidental, filed at the instance of Bonifacio Bico, complainant herein, a complaint for serious physical injuries against Edgar Javelona, Florian Javelona, Recambole Javelona and Nonong Jardinico, which was docketed as Criminal Case No. 1155 of the justice of the peace court of Bago presided over by Manuel H. Javelona, father of the first three-named accused. Five days later, or on March 17, 1958, Florian Javelona lodged with the same court Criminal Cases Nos. 1157 and 1158 against Bonifacio Bico for grave slander and unjust vexation, respectively. On the same date, Recambole Javelona filed Criminal Case No. 1159 with the same court against Niete Bico, sister of complainant Bonifacio Bico in Criminal Case No. 1155, accusing her of grave oral defamation.

In view of the relationship existing between justice of the peace Javelona and the accused Javelona brothers in Criminal Case No. 1155, the Executive Judge designated respondent to try and decide the above-mentioned cases. Criminal Case No. 1155 was set for hearing on May 26, 1958, and the accused were arraigned and pleaded not guilty. On petition of defense counsel, trial was postponed by respondent to June 6 and 7, 1958. On June 6 and July 26, 1958, the hearing was further postponed upon mutual agreement of the parties. On July 28, 1958, counsel for the accused again asked for postponement of the hearing set for the next day, which was granted by the respondent over the opposition of the private prosecutor. After four more postponements, Criminal Case No. 1155 was ultimately heard on February 17, 1959, and decision was rendered on August 5, 1959. During the long period that the four criminal cases were under his consideration, respondent drew his salary only as justice of the peace of Valladolid.

Respondent explains that the delay in deciding Criminal Case No. 1155 was due to the fact that he waited for the result of the other cases which had arisen from the same incident. This explanation is wholly untenable as there is nothing in the decision in Criminal Case No. 1155 which legally depended on his actuations in the other cases. The delay in the early termination of this case was occasioned by the undue liberality shown by him in granting postponements. While it is true that applications for continuance are addressed to the sound discretion of the judge, nevertheless such discretion must be

judicious and should not be exercised, in such a manner as to jeopardize the interests of the people at large.

The records of the Department of Justice show that, although the respondent failed to decide Criminal Case No. 1155 within 90 days after its submission for decision, or before May 18, 1959, he certified in collecting his salary for the months of May, June and July, 1959, that he had no case pending for more than 90 days, which is a legal prerequisite before a judge or justice of the peace can collect salary.

Respondent's defense that his certificates referred to his service as justice of Valladolid, for which he received salary, and did not apply to the case pending before him as acting justice of the peace of Bago since he did not receive compensation in the latter capacity, is unmeritorious. He overlooks, as observed by the Department of Justice, the overriding intent of Section 5 of the Judiciary Act (Rep. Act No. 296), which is to spur the judges on to greater activity by reaching into their pockets and thus relieve the congested dockets of the courts. The provisions of said section on the judge's certificate as to work completed are mandatory and failure to comply therewith subjects the offender to administrative discipline.

In view of the foregoing, I agree with the Department of Justice that the respondent has unreasonably delayed the trial and decision of Criminal Case No. 1155 and made untrue statement in his monthly certificates of service to the effect that he had no case pending decision for 90 days for the purpose of receiving his salary for the months of May, June and July, 1959. Respondent has therefore been rather wanting in dedication to duty and fidelity in his official reports. These are essential requirements for public servants. I am therefore constrained to take such appropriate action against him as is demanded by the interests of public service.

Wherefore, Mr. Lorenzo M. Quitco is hereby considered resigned and separated as justice of the peace of Valladolid, Negros Occidental, effective upon his receipt of a copy of this order.

Done in the City of Manila, this 1st day of July, in the year of Our Lord, nineteen hundred and sixty-three.

(Sgd.) DIOSDADO MACAPAGAL

By the President:

(Sgd.) SALVADOR L. MARIÑO

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1963). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 64
CONSIDERING MAJOR ROQUE ISLA RESIGNED AS CHIEF OF POLICE
OF SAN PABLO CITY.

This is an administrative case against Major Roque Isla, chief of Police of San Pablo City, for alleged arbitrary detention. The case was investigated by a special investigator of this Office before whom the respondent had full opportunity to be heard and to present evidence in his defense.

The record discloses the following facts to have been duly established:

On or about October 4, 1959, Aniceto Borja was brought to the police department for toting a home-made caliber .38 pistol and one live ammunition of the same caliber. He was, however, released by the police department after the pistol was verified to be unserviceable. Despite his release, an information for illegal possession of firearm was filed against him by the City Fiscal of San Pablo on October 9, 1959, which case was docketed in the municipal court of that city as Criminal Case No. 1828. On October 16, 1959, the municipal court issued a warrant for the arrest of Borja but it was returned to the court unexecuted by the police department on January 22, 1960, for the reason that Borja could not be located within the territorial jurisdiction of San Pablo. On January 23, 1960, the municipal court issued an order provisionally dismissing Criminal Case No. 1828 on the ground that "the accused could not be located within the territorial jurisdiction of San Pablo." A copy of this order was received by the police Department.

On July 12, 1960, Borja was again apprehended by secret service men of the same police department for the offense of illegal slaughtering of animal. He was not, however, charged with this offense. Nevertheless, he was detained by Patrolman Marcial Calabia who knew him to be the same person accused of and wanted for illegal possession of firearm in Criminal Case No. 1828. Calabia then requested instructions from the corporal of the guard at the time, Cpl. Ruben Pasco, as what to do with Borja. Cpl. Pasco requested Sgt. Pelagio Alinea to escort Borja to the municipal court where he was presented before some personnel thereof, but not before the municipal judge. Thereafter, Calabia followed Alinea and Borja to the municipal court and delivered to the docket clerk thereat the pistol confiscated from Borja on October 4, 1959, for which a receipt was issued. Alinea then escorted Borja back to the police department and delivered him to Cpl. Ruben Pasco.

Subsequently, or on September 29, 1960, it was discovered that Criminal Case No. 1828 which was provisionally dismissed on January 23, 1960, was not revived. For this reason, the respondent informed the city attorney of San Pablo on September 30, 1960, that Borja had been confined in the city jail since July 12, 1960, and requested the latter that a motion to revive or a new information be filed against Borja so that he may be prosecuted in accordance with law. On that same day, the city attorney filed with the municipal court a motion seeking the revival of Criminal Case No. 1828 against Borja, which was granted by the court on October 3, 1960. On November 10, 1960, Borja entered a plea of guilty in said case and was sentenced to suffer a prison term of one year and one day.

Before Borja entered his plea of guilty, his sister, Consolacion Borja, filed a complaint with the city attorney's office against his detention in the city jail. After a preliminary investigation, the city attorney dismissed the complaint for lack of a prima facie case against the respondent. However, an appeal from the dismissal of said complaint was made to the Department of Justice, where the appeal is still pending consideration.

In his defense respondent stated that when Borja was brought to the municipal court on July 12, 1960, the court did not order his release but instead ordered the deposit of the firearm and ammunition confiscated from Borja. This led the respondent to believe honestly that the criminal case against Borja was revived and that consequently he had the right to detain him. He likewise stated that it was only on September 29, 1960, that his office was advised by the municipal court that a motion for the filing of a new information by the city attorney was necessary to revive the case against Borja. He accordingly advised the city attorney who forthwith refiled the information accusing Borja of illegal possession of firearm.

Respondent's explanation is on the whole unsatisfactory. It cannot be seriously disputed that the detention of Borja was illegal per se, it appearing that Criminal Case No. 1828 against Borja for illegal possession of firearm was dismissed provisionally by the court on January 23, 1960, and that Borja was not accused of the offense of illegal slaughtering of animal when he was apprehended on July 12, 1960. Respondent ought to have known that such provisional dismissal, a copy of which was furnished his office, had the effect of cancelling the warrant of arrest issued in connection with Criminal Case No. 1828 and, therefore, there was no more basis for Borja's detention in the city jail. In fact, the records show that the warrant of arrest was returned unexecuted by the police department to the municipal court because Borja could not be located within the territorial jurisdiction of San Pablo. As it was, Borja was incarcerated and deprived of liberty from July 12 to October 3, 1960, or a total of 84 days, with all the physical inconvenience, humiliation and moral torture attendant thereto.

The arbitrary detention of Borja for 84 days could have been avoided had the respondent inquired from the city attorney or the municipal judge as to the actual status of Criminal Case No. 1828 at the time of Borja's apprehension and detention on July 12, 1960. His failure to do so is a clear manifestation of gross irresponsibility and ignorance of his duties as Chief of Police of San Pablo City. I am therefore constrained to take drastic action against him because of the gross violation of the civil liberties of a citizen.

In view of the foregoing, Major Roque Isla is hereby considered resigned as Chief of Police of San Pablo City, without prejudice to reinstatement in the government service except as chief of police of a chartered city.

Done in the City of Manila, this 1st day of July, in the year of Our Lord, nineteen hundred and sixty-three.

(Sgd.) DIOSDADO MACAPAGAL

By the President:
(Sgd.) SALVADOR L. MARINÓ
Executive Secretary

Source: Malacañang Records Office

Office of the President of the Philippines. (1963). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 65
REMOVING MR. CONSTANTE ROSAL FROM OFFICE AS PROVINCIAL FISCAL OF ABRA.

These are administrative cases against Mr. Constante Rosal for alleged irregularities committed by him as Provincial Fiscal of Abra. The charges were investigated by a special investigator from the Department of Justice.

After going over the records of the investigation, I find the following facts duly established:

1. That the respondent collected the amount of ₱200 from Mrs. Celerina Calinap allegedly to be spent for gathering more evidence to prosecute a crime of robbery and as docketing fee in the filing of a separate civil suit for damages, wherein she appeared to be interested, which claims were not true, as respondent's purpose was simply to enable him to secure money from her;

2. That the respondent also collected the sum of ₱800 from Mrs. Esperanza Tuscano supposedly as deposit and legal fees for his services, which act constitutes dishonesty and grave misconduct under Sections 33 and 34 of Republic Act No. 2260; and

3. That far from denying the preceding charge against him of asking money from Mrs. Tuscano, respondent merely made insinuations that she was harboring a grudge against him because of the acquittal in Criminal Case No. 812 of the Court of First Instance of Abra of a certain Alberto Tejero, the alleged killer of her only son.

Except for gambling or playing mahjong during office hours which is duly supported by the evidence on record, the other charges against the respondent of alleged abuse of authority, ignorance of the law, abuse of discretion, falsification of public documents and estafa for having supposedly collected from Mrs. Maria Orfano the sum of ₱100 do not appear to have been conclusively established.

As shown elsewhere, the respondent fiscal is guilty of reprehensible conduct and acts unbecoming a public official, which render him unfit to remain in the public service, particularly in the prosecuting arm of the Government.

Wherefore, and upon the recommendation of the Secretary of Justice, Mr. Constante Rosal is hereby removed from office as Provincial Fiscal of Abra, effective upon his receipt of a copy of this order, with prejudice to reinstatement in the government service in any capacity.

Done in the City of Manila, this 1st day of July, in the year of Our Lord, nineteen hundred and sixty-three.

(Sgd.) DIOSDADO MACAPAGAL

By the President:
(Sgd.) SALVADOR L. MARIÑO
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1963). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 66
REMOVING MR. VICTOR ARICHEA FROM OFFICE AS JUSTICE OF THE PEACE
OF OLONGAPO, ZAMBALES.

This is an administrative case against Justice of the Peace Victor Arichea of Olongapo, Zambales, arising from separate complaints filed by Purificacion Yap and Damaso B. Barquin, which were formally investigated by Executive Judge Lucas Lacson of the Court of First Instance of Zambales. Complainant Yap charges respondent with alleged irregularities in connection with the criminal case for vagrancy in respondent's court wherein said complainant was one of the accused. Complainant Barquin, on the other hand, charges respondent with misconduct in releasing sixteen persons apprehended by the police in a gambling raid on September 12, 1961.

The investigating Judge found that complainant Yap failed to substantiate her charges because she retracted them in her testimony and, considering respondent's satisfactory explanation, recommends dismissal of her complaint. With regard to the complaint of Barquin, the Judge found that respondent personally released the detainees from the custody of the police, whom he also advised to return the evidence seized in the gambling house.

The findings of the investigator on Barquin's complaint are based on the testimony of his three witnesses, namely Patrolman Alfredo Paraiso, a member of the raiding team; Patrolman Luis Olipane, warden of the municipal jail; and former Police Lieutenant Aurelio Jose, who was in charge of the raid. Lieutenant Jose testified that, after the raid, he went to respondent's house with a list of the persons apprehended and a list of the gambling articles seized. After examining these lists, respondent informed Lieutenant Jose that the case was weak because the cards were incomplete and told him to return the exhibits, which was done.

Patrolman Paraiso declared that he brought the sixteen arrested persons to the jail and delivered the confinement papers to Patrolman Olipane, the jailer. While Olipane was checking the list of the arrested persons, respondent arrived and took the confinement papers, telling Olipane that respondent would be responsible. Respondent then released the persons in custody but refused to return the confinement papers when so requested by Patrolman Paraiso. Instead respondent instructed Paraiso to tell the desk sergeant not to enter in the police blotter the confinement of the persons arrested. This directive was also followed.

According to Patrolman Olipane, while he was checking the list brought by Patrolman Paraiso, respondent arrived and asked to see the confinement papers. When Olipane tried to get them back, respondent said that he would fix the case. Respondent then told the persons in custody to go home and informed Olipane that he (respondent) would be responsible.

Respondent denies having released the arrested persons but admits that he went to the jail with Lieutenant Jose, who showed him the confinement papers. He also admits having told Lieutenant Jose that the latter could release the arrested persons. These admissions, which corroborate the testimony of complainant's witnesses, effectively refute respondent's denial that he released the arrested persons. The evidence thus clearly proves respondent's guilt of having gravely abused his authority.

Respondent, under his authority to commit persons under arrest to legal custody, could validly release them if he found the evidence insufficient to prove a prima facie case for the offense charged. However, as to persons arrested by officers of the law allegedly in the act of committing an offense, the evidence of the latter had to be examined by respondent before he could release the persons arrested for insufficiency of evidence. He was therefore duty bound to allow a reasonable opportunity for the filing of a formal complaint and the presentation of evidence to support such complaint.

These procedural requirements were totally disregarded when respondent directly released the persons arrested without waiting for the complaint to be filed and without even taking the declarations of the arresting officers. Such act was patently arbitrary and capricious. It has also highly prejudicial to public interest, as it set at naught the efforts of police officers to catch redhanded violators of the law, demoralizing the honest and efficient performance of duty.

Respondent's abuse of authority was aggravated by his efforts to conceal it by advising the return of the articles confiscated during the raid, by refusing to return to the police the confinement papers of the persons arrested and by directing that such confinement be not entered in the police blotter. In making a mockery of law enforcement, respondent showed his unfitness to continue holding his judicial office.

In view of the foregoing, and upon the recommendation of the Secretary of Justice, Mr. Victor Arichea is hereby removed from office as justice of the peace of Olongapo, Zambales, effective upon his receipt of a copy of this order.

Done in the City of Manila, this 1st day of July, in the year of Our Lord, nineteen hundred and sixty-three.

(Sgd.) DIOSDADO MACAPAGAL

By the President:
(Sgd.) SALVADOR L. MARIÑO
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1963). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 67
REMOVING MR. RUFINO O. ABUDA FROM OFFICE AS JUSTICE OF THE PEACE
OF QUINAPUNDAN, SAMAR.

This is an administrative case filed by Mrs. Irene V. Japzon against Mr. Rufino O. Abuda, justice of the peace of Quinapundan, Samar, for undue delay in disposing of Criminal Case No. 428, partiality and acts unbecoming a public official.

A formal investigation of the case was commenced by the District Judge of Samar but was later turned over to Assistant Fiscal Juan A. Abing of the same province who finds respondent guilty of unbecoming conduct, failure to conduct preliminary investigation and undue delay in disposing of the case, and recommends that he be at least reprimanded and advised to handle his case with dispatch and in conformity with the procedure embodied in the Rules of Court. Respondent did not present any evidence but confined himself to submitting a memorandum. The investigator's findings are supported by the record.

It appears that a complaint for theft of large cattle with malicious mischief was filed in respondent's court on June 12, 1957, alleging that the accused, Felipe Guarino, stole a carabao worth ₱300 belonging to herein complainant's husband. Respondent set the case for preliminary investigation but tried the same on the merits, finding the accused guilty of the offense charged and sentencing him to suffer one-month imprisonment, to pay an indemnity of ₱200 and costs. From the decision, which was dated February 28, 1958, but promulgated only on July 7, 1958, the accused appealed to the Court of First Instance where he pleaded guilty and was sentenced to suffer an indeterminate penalty of from 3 years and 1 day of prison correccional to 9 years, 4 months and 1 day of prison mayor and to pay an indemnity of ₱300, plus costs.

The investigation of this administrative case discloses that on several occasions before and after the trial of the criminal case involved the respondent drank beer and ate together with the accused. In another instance, a goat was slaughtered for him. These successive incidents fully explain the sympathetic attitude of the respondent towards the accused, the undue delay in the trial of the case and the promulgation of the judgment and the light penalty imposed on him.

Such open and scandalous association of the respondent with the accused whose case was pending before him and his partiality towards the accused induced by such relationship reflect adversely on his fitness as a judge. By his proven conduct, he does not deserve to remain in the judiciary where only men of high integrity and unimpeachable conduct have the right to be.

Wherefore, and upon the recommendation of the Secretary of Justice, Mr. Rufino O. Abuda is hereby removed from office as justice of the peace of Quinapundan, Samar, effective upon receipt of a copy of this order.

Done in the City of Manila, this 1st day of July, in the year of Our Lord, nineteen hundred and sixty-three.

(Sgd.) DIOSDADO MACAPAGAL

By the President:
(Sgd.) SALVADOR L. MARIÑO
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1963). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 68

MODIFYING ADMINISTRATIVE ORDER NO. 288 DATED JANUARY 23, 1959,
CONCERNING DR. CRISTOBAL SANTIAGO, FORMER MEMBER OF THE BOARD
OF DIRECTORS OF THE NATIONAL WATERWORKS AND SEWERAGE AUTHORITY,
BY CONSIDERING HIM EXONERATED.

Under Administrative Order No. 288 dated January 23, 1959, Dr. Cristobal Santiago was considered resigned as a member of the Board of Directors of the National Waterworks and Sewerage Authority (NAWASA) for alleged improper conduct in connection with the drilling of a well belonging to his father-in-law.

Respondent seeks reconsideration of the decision for supposed lack of valid cause to justify the same. It is claimed, among other things, that there is nothing to show that the respondent had something to do with the acts complained of; and that if ever the NAWASA personnel cleaned the well of his father-in-law, it was in reciprocation of the accommodation they had received from him, for which they alone were responsible.

A review of the record shows that a private well in Suklain, Arayat, Pampanga, belonging to respondent's father-in-law was repaired and cleaned (not drilled) by NAWASA men when they were in Arayat to clean Wells Nos. 9019 and 9020, in which government time and equipment were used, the owner furnishing the materials. The well in question was also being used by people in the neighborhood. The tenants of the respondent and/or of his father-in-law happened to be very accommodating to the NAWASA personnel during their stay there and these men, out of a natural feeling of gratitude, tried to reciprocate in some measure, which redounded to the benefit not only of respondent's relative but also of the people in the vicinity.

The NAWASA Board of Directors in Resolution No. 68 dated February 16, 1959, noted, among other things, that the decision made no reference to any intervention on the part of the respondent in the repair and cleaning of the well involved and that the NAWASA crew did the job voluntarily, in reciprocation of and out of gratitude for the accommodation extended to them by respondent's father-in-law, without anybody exercising pressure or influence on them. The old NAWASA Board therefore recommended the reconsideration of Administrative Order No. 288, series of 1959, by exonerating respondent, which was left unacted upon by the last administration.

From a restudy of the case, the observations of the NAWASA Board appear well taken. Under the attendant circumstances, I believe that the penalty of separation meted out to respondent was too severe. In fact, the investigator had recommended mere reprimand. However, respondent has already been replaced in a permanent capacity since April 17, 1959, which circumstance must be taken into account in the disposition of the instant petition, considering that there are no fixed criteria for the appreciation of evidence and the imposition of penalty is largely a matter of sound discretion. As representations have been made that the respondent is not after reinstatement but merely to have his name cleared, it is believed that the request for reconsideration may be given due course on that understanding.

Wherefore, Administrative Order No. 288 dated January 23, 1959, is hereby modified in the sense that Dr. Cristobal Santiago is considered as exonerated.

Done in the City of Manila, this 16th day of July, in the year of Our Lord, nineteen hundred and sixty-three.

(Sgd.) DIOSDADO MACAPAGAL

By the President:

(Sgd.) RUFINO G. HECHANOVA

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1963). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 69
AUTHORIZING THE CONSOLIDATED INSURANCE COMPANY, INC.,
TO BECOME A SURETY UPON OFFICIAL RECOGNIZANCES, STIPULATIONS,
BONDS AND UNDERTAKINGS.

WHEREAS, Section 1 of Act No. 536, as amended by Act No. 2206, provides that whenever any recognizance, stipulation, bond or undertaking conditioned for the faithful performance of any duty or of any contract made with any public authority, national, provincial, municipal or otherwise, or of any undertaking, or for doing or refraining from doing anything in such recognizance, stipulation, bond or undertaking specified is, by the laws of the Philippines or by the regulations or resolutions of any public authority therein, required or permitted to be given with one surety or with two or more sureties, the execution of the same or the guaranteeing of the performance of the condition thereof shall be sufficient when executed or guaranteed solely by any corporation organized under the laws of the Philippines, having power to guarantee the fidelity of persons holding positions of public or private trust and to execute and guarantee bonds or undertakings in judicial proceedings and to agree to the faithful performance of any contract or undertaking made with any public authority;

WHEREAS, said section further provides that no head of department, court, judge, officer, board or body, whether executive, legislative, or judicial, shall approve or accept any corporation as surety on any recognizance, stipulation, bond, contract or undertaking unless such corporation has been authorized to do business in the Philippines in accordance with the provisions of said Act No. 536, as amended, nor unless such corporation has, by contract with the Government of the Philippines, been authorized to become a surety upon official recognizances, stipulations, bonds and undertakings; and

WHEREAS, the CONSOLIDATED INSURANCE COMPANY, INC., is a domestic corporation organized and existing under the laws of the Republic of the Philippines and fulfills the conditions prescribed by said Act No. 536, as amended.

NOW, THEREFORE, I, DIOSDADO MACAPAGAL, President of the Philippines, by virtue of the powers vested in me by law, do hereby authorize the CONSOLIDATED INSURANCE COMPANY, INC., to become a surety upon official recognizances, stipulations, bonds and undertakings, in such manner and under such conditions as are provided by law, subject to the conditions that the amount constituting the contributed surplus fund shall not at anytime be withdrawn and paid back in cash to the contributing stockholders without prior recommendation and justification by the Insurance Commissioner duly approved by the Secretary of Finance, and provided further, that the moment the CONSOLIDATED INSURANCE COMPANY, INC., becomes indebted to any government instrumentality or political subdivision thereof, or to any government-owned or controlled corporation in the total amount of ₱50,000.00 accruing from the issuance of bonds, the same having become due and demandable, the insurance company must voluntarily desist from writing or issuing all kinds of government bonds until the outstanding liabilities in government bond shall have been fully paid or settled. Non-payment of liabilities shall be a cause for the immediate revocation of the Administrative Order.

Done in the City of Manila, this 24th day of July, in the year of Our Lord, nineteen hundred and sixty-three.

(Sgd.) DIOSDADO MACAPAGAL

By the President:
(Sgd.) RUFINO G. HECHANOVA
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1963). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 70

**AUTHORIZING THE VANGUARD ASSURANCE CORPORATION, TO BECOME A SURETY
UPON OFFICIAL RECOGNIZANCES, STIPULATIONS, BONDS AND UNDERTAKINGS.**

WHEREAS, Section 1 of Act No. 536, as amended by Act No. 2206, provides that whenever any recognizance, stipulation, bond or undertaking conditioned for the faithful performance of any duty or of any contract made with any public authority, national, provincial, municipal or otherwise, or of any undertaking, or for doing or refraining from doing anything in such recognizance, stipulation, bond or undertaking specified is, by the laws of the Philippines or by the regulations or resolutions of any public authority therein, required or permitted to be given with one surety or with two or more sureties, the execution of the same or the guaranteeing of the performance of the condition thereof shall be sufficient when executed or guaranteed solely by any corporation organized under the laws of the Philippines, having power to guarantee the fidelity of persons holding positions of public or private, trust and to execute and guarantee bonds or undertakings in judicial proceedings and to agree to the faithful performance of any contract or undertaking made with any public authority;

WHEREAS, said section further provides that no head of department, court, judge, officer, board or body, whether executive, legislative, or judicial, shall approve or accept any corporation as surety on any recognizance, stipulation, bond, contract or undertaking unless such corporation has been authorized to do business in the Philippines in accordance with the provisions of said Act No. 536, as amended, nor unless such corporation has, by contract with the Government of the Philippines, been authorized to become a surety upon official recognizances, stipulations, bonds and undertakings; and

WHEREAS, the VANGUARD ASSURANCE CORPORATION, is a domestic corporation organized and existing under the laws of the Republic of the Philippines and fulfills the conditions prescribed by said Act No. 536, as amended.

NOW, THEREFORE, I, DIOSDADO MACAPAGAL, President of the Philippines, by virtue of the powers vested in me by law, do hereby authorize the VANGUARD ASSURANCE CORPORATION, to become a surety upon official recognizances, stipulations, bonds and undertakings, in such manner and under such conditions as are provided by law, subject to the conditions that the amount constituting the contributed surplus fund shall not at anytime be withdrawn and paid back in cash to the contributing stockholders without prior recommendation and justification by the Insurance Commissioner duly approved by the Secretary of Finance, and provided further, that the moment the VANGUARD ASSURANCE CORPORATION, becomes indebted to any government instrumentality or political subdivision thereof, or to any government-owned or controlled corporation in the total amount of ₱50,000.00 accruing from the issuance of bonds, the same having become due and demandable, the insurance company must voluntarily desist from writing or issuing all kinds of government bonds until the outstanding liabilities in government bond shall have been fully paid or settled. Non-payment of liabilities shall be a cause for the immediate revocation of the Administrative Order.

Done in the City of Manila, this 31st day of July, in the year of Our Lord, nineteen hundred and sixty-three.

(Sgd.) DIOSDADO MACAPAGAL

By the President:
(Sgd.) RUFINO G. HECHANOVA
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1963). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 71

**AUTHORIZING THE FIELDMEN'S INDEMNITY COMPANY, INC. TO BECOME A SURETY
UPON OFFICIAL RECOGNIZANCES, STIPULATIONS, BONDS AND UNDERTAKINGS.**

WHEREAS, Section 1 of Act No. 536, as amended by Act No. 2206, provides that whenever any recognizance, stipulation, bond or undertaking conditioned for the faithful performance of any duty or of any contract made with any public authority, national, provincial, municipal or otherwise or of any undertaking or for doing or refraining from doing anything in such recognizance, stipulation, bond or undertaking specified is, by the laws of the Philippines or by the regulations or resolutions of any public authority therein, required or permitted to be given with one surety or with two or more sureties, the execution of the same or the guaranteeing of the performance of the condition thereof shall be sufficient when executed or guaranteed solely by any corporation organized under the laws of the Philippines, having power to guarantee the fidelity of persons holding positions of public or private trust and to execute and guarantee bonds or undertakings in judicial proceedings and to agree to the faithful performance of any contract or undertaking made with any public authority.

WHEREAS, said section further provides that no head of department, judge, officer, board or body, whether executive, legislative or judicial, shall approve or accept any corporation as surety on any recognizance, stipulation, bond, contract or undertaking unless such corporation has been authorized to do business in the Philippines in accordance with the provisions of said Act No. 536, as amended, nor unless such corporation has, by contract with the Government of the Philippines, been authorized to become a surety upon official recognizances, stipulations, bonds and undertakings; and

WHEREAS, the FIELDMEN'S INDEMNITY COMPANY, INC., is a domestic corporation organized and existing under the laws of the Republic of the Philippines and fulfills the conditions prescribed by said Act No. 536, as amended.

NOW, THEREFORE, I, DIOSDADO MACAPAGAL, President of the Philippines, by virtue of the powers vested in me by law, do hereby authorize the FIELDMEN'S INDEMNITY COMPANY, INC. to become a surety upon official recognizances, stipulations, bonds and undertakings in such manner and under such conditions as are provided by law, subject to the condition that the total amount of immigration bonds that it may issue shall not, at any time, exceed its admitted assets.

Done in the City of Manila, this 2nd day of August, in the year of Our Lord, nineteen hundred and sixty-three.

(Sgd.) DIOSDADO MACAPAGAL

By the President:
(Sgd.) RUFINO G. HECHANOVA
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1963). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 72
CREATING A SPECIAL COMMITTEE ON REORGANIZATION OF AGENCIES
FOR LAND REFORM.

WHEREAS, there is need to implement the Land Reform Program and thus attain its objectives;

WHEREAS, the machinery that will be established to carry out the Program will determine, to a large extent, its success;

WHEREAS, it is imperative that the agencies involved be reorganized as one integrated unit to avoid the proliferation of efforts and conflicting directions resulting from each individual agency undertaking its own reorganization; and

WHEREAS, because of the complex nature of the land reform machinery established, the reorganization of agencies should be made with the assistance and guidance of people who know the requirements of the Land Reform Program, the process involved in agricultural development and the needs of farmers.

NOW, THEREFORE, I, DIOSDADO MACAPAGAL, President of the Philippines, by virtue of the powers vested in me by law, do hereby create a Special Committee on Reorganization of Agencies for Land Reform.

Hon. Sixto K. Roxas, Chairman, National Economic Council	Chairman
Hon. Benjamin Gozon, Secretary of Agriculture and Natural Resources	Member
Hon. Bernardino Abes, Secretary of Labor	Member
Hon. Salvador L. Mariño, Secretary of Justice	Member
Hon. Rodrigo Perez, Jr., Secretary of Finance	Member
Hon. Brigido Valencia, Secretary of Public Works and Communications	Member
Hon. Macario Peralta, Jr., Secretary of National Defense	Member
Mr. Teodoro Locsin, representing the public	Member
Hon. Faustino Sy-Changco, Budget Commissioner	Member

The Committee shall have the following functions:

1. To facilitate the transfer of powers, duties, responsibilities, assets, liabilities, supplies, equipment, personnel, files, records and unexpended balances of agencies abolished to the new agencies.

2. To set up the organizational structure of the following agencies:

- a. Land authority
- b. Land Bank
- c. Agricultural Productivity Commission
- d. Agricultural Credit Administration
- e. Office of the Agrarian Council

3. To conduct the training and placement of personnel.
4. To establish policies and guidelines for land reform.
5. To standardize procedures for implementation and evaluation.
6. To reassess and revise land tax schedules according to the objectives of land reform.
7. To facilitate an aerial photography survey of the country according to the needs of various agencies.

The Committee shall organize itself into the following teams to undertake the specific areas of work required:

1. Accounting Team
2. Legal Team
3. Management Team
4. Agriculture Team

The Committee shall meet at the call of the Chairman and, for the purpose of discharging its functions, is hereby authorized to call upon any department, bureau, office, agency or instrumentality of the Government for such information and assistance as it may require in the performance of its work.

The Committee shall submit to the President its report and recommendations as soon as possible.

Done in the City of Manila, this 2nd day of August, in the year of Our Lord, nineteen hundred and sixty-three.

(Sgd.) DIOSDADO MACAPAGAL

By the President:

(Sgd.) RUFINO G. HECHANOVA

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1963). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 73
MODIFYING ADMINISTRATIVE ORDER NO. 169 DATED JANUARY 4, 1956, CONCERNING
FORMER CIVIL AERONAUTICS ADMINISTRATOR VICTOR H. DIZON.

Under Administrative Order No. 169 dated January 4, 1956, Colonel Victor H. Dizon was found guilty of negligence in permitting the unauthorized loan of parts of the dismantled radio tower at Puerto Princesa airfield in Palawan to the Bolinao Broadcasting Corporation while he was Acting Civil Aeronautics Administrator.

Upon his petition, this Office made a review of the case in the light of his representations that he is innocent of the charge and that the decision finding him guilty, contrary to the recommendation of the investigating committee, was politically inspired.

After carefully examining the record of investigation, I agree with the committee (composed of then Brig. Gen. Pelagio A. Cruz and Col. Andres O. Cruz) in its findings, as did the former Legal Adviser under the past administrations, that the dismantling of said radio tower in Palawan and the shipment of the dismantled parts to Manila in July of 1962 upon direction of Col. Dizon, and the loaning, with his approval, of some parts thereof to the above-named corporation on August 17 and 18, 1953, about a year later, were entirely unrelated events; that he approved the loan of said parts in good faith and in the belief that they could be parts of the radio beacon (HHW) tower which had been previously leased to said corporation by the Board of Liquidators; and that the said loan was an unavoidable mistake attributable to the confusion in the identity of the dismantled parts of both towers, there having been no complete inventory and accurate markings of the properties of the Civil Aeronautics Administration.

As observed by the investigating committee, Col. Dizon, in effecting the delivery of the dismantled parts, was moved by the best interest of air navigation on the one hand and, on the other, by a sense of duty to carry out the directive of the Board of Liquidators, at whose directions he was acting in the nature of an agent, to cause immediate delivery of the equipment to the Bolinao Broadcasting Corporation. Whether or not the parts loaned were those of the HHW tower or the control tower, Col. Dizon was not in a position to know, as it was not apparent at a glance to distinguish the parts of one from the other. In fact, it appears that the parts of the HHW and the control towers can be interchanged. While the dismantled parts of the control tower were marked, the markings were for the purpose of structural re-erection, not for identification. Moreover, Col. Dizon approved the loan in the belief that the lease agreement he was directed by the Board of Liquidators to implement called for the delivery of parts to complete the installation of HHW tower. Under the circumstances, Col. Dizon was legally justified in permitting the lending of the dismantled parts of the control tower to the Bolinao Broadcasting Corporation.

Wherefore, Administrative Order No. 169 dated January 4, 1956, is hereby modified in the sense that Col. Victor H. Dizon is considered exonerated from any liability in connection with the transaction involved.

Done in the City of Manila, this 2nd day of August, in the year of Our Lord, nineteen hundred and sixty-three.

(Sgd.) DIOSDADO MACAPAGAL

By the President:
(Sgd.) RUFINO G. HECHANOVA
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1963). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 74

AMENDING ADMINISTRATIVE ORDER NO. 50 DATED FEBRUARY 25, 1963, ENTITLED
“AUTHORIZING THE R AND B ASSURANCE CORPORATION TO BECOME A SURETY UPON
OFFICIAL RECOGNIZANCES, STIPULATIONS, BONDS AND UNDERTAKINGS.”

WHEREAS, the R and B Assurance Corporation, a domestic corporation organized and existing under the laws of the Republic of the Philippines, was authorized to become a surety upon official recognizances, stipulations, bonds and undertakings under Administrative Order No. 50 dated February 25, 1963; and

WHEREAS, the R and B Assurance Corporation has changed its corporate name to TOWERS ASSURANCE CORPORATION.

NOW, THEREFORE, I, DIOSDADO MACAPAGAL, President of the Philippines, do hereby amend Administrative Order No. 50 dated February 25, 1963, by substituting the name TOWERS ASSURANCE CORPORATION whenever the name R and B Assurance Corporation appears in said Administrative Order.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the Republic of the Philippines to be affixed.

Done in the City of Manila, this 13th day of August, in the year of Our Lord, nineteen hundred and sixty-three.

(Sgd.) DIOSDADO MACAPAGAL

By the President:
(Sgd.) RUFINO G. HECHANOVA
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1963). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 75
AUTHORIZING SALARY INCREASES FOR EMPLOYEES OF THE NATIONAL GOVERNMENT

WHEREAS, Item I-1-IV-1, pages 2278-2279 of the General Appropriation Act (R.A. No. 3845), provides an appropriation from the General Fund for salary increases of all employees of the National Government paid from the General Fund, and Item I-1-VI-1, pages 2279-2280 of the same Act, appropriates such sums as may be necessary out of special, revolving, trust and other funds except the General Fund, for salary increases of all employees of the National Government paid from said special, revolving, trust and other funds except the General Fund, provided, in both cases, that the increase in salary therein authorized shall be uniform for positions with the same salary rate;

NOW, THEREFORE, I, DIOSDADO MACAPAGAL, President of the Philippines, by virtue of the powers vested in me by law, do hereby authorize the use of the said appropriations provided for in Republic Act No. 3845 for salary increases of all employees of the National Government whether in the Executive, Legislative or Judicial Department, except those whose current salary rates are over ₱8,400 per annum and those whose compensation cannot be increased under the Constitution, in accordance with the following schedule:

- | | |
|---|----|
| 1. If the compensation does not exceed ₱2,544 per annum | 5% |
| 2. For salary rates ranging from ₱2,545 to ₱4,403 per annum | 4% |
| 3. For salary rates ranging from ₱4,404 to ₱7,235 per annum | 3% |
| 4. For salary rates ranging from ₱7,236 to ₱8,400 per annum | 2% |
| 5. In the case of emergency and temporary employees and laborers paid on the daily basis: | |
| a. For daily wages of over ₱9.00 or below | 5% |
| b. For daily wages of over ₱9.00 | 4% |

The salary increase herein authorized shall take effect as of July 1, 1963. It shall not apply to positions to be filled:

- (1) by appointment thereto of new employees whose appointments took effect after June 30, 1963; or
- (2) by transfer or promotion thereto of employees who had received in their former positions the pay increase herein authorized, provided the transfer or promotion involves an increase in basic pay by more than one salary step in case of positions covered by the WAPCO pay plan and more than one grade in case of non-WAPCO positions.

The Commissioner of the Budget is hereby authorized to issue such rules and regulations as may be necessary for the implementation of this Order.

Done in the City of Manila, this 28th day of September, in the year of Our Lord, nineteen hundred and sixty-three.

(SGD.) DIOSDADO MACAPAGAL
President of the Philippines

By the President:
(SGD.) RUFINO G. HECHANOVA
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1963). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 76
AMENDING ADMINISTRATIVE ORDER NO. 55 DATED MARCH 12, 1963, ENTITLED
“AUTHORIZING THE DEVELOPMENT INSURANCE & SURETY CORPORATION
TO BECOME A SURETY UPON OFFICIAL RECOGNIZANCES, STIPULATIONS,
BONDS AND UNDERTAKINGS.”

The fourth paragraph of Administrative Order No. 55 dated March 12, 1963, is hereby amended to read as follows:

“NOW, THEREFORE, I, DIOSDADO MACAPAGAL, President of the Philippines, by virtue of the powers vested in me by law, do hereby authorize the DEVELOPMENT INSURANCE & SURETY CORPORATION to become a surety upon official recognizances, stipulations, bonds and undertakings, in such manner and under such conditions as are provided by law, subject to the conditions that the amount constituting the contributed surplus fund shall not at anytime be withdrawn and paid back in cash to the contributing stockholders without prior recommendation and justification by the Insurance Commissioner duly approved by the Secretary of Finance, and provided further; that the moment the DEVELOPMENT INSURANCE & SURETY CORPORATION becomes indebted to any government instrumentality or political subdivision thereof, or to any government owned or controlled corporation in the total amount of ₱50,000.00 accruing from the issuance of bonds, the same having been due and demandable, the insurance company must voluntarily desist from writing or issuing all kinds of government bonds until the outstanding liabilities in government bonds shall have been fully paid or settled. Non-payment of liabilities shall be a cause for the immediate revocation of the Administrative Order.”

Done in the City of Manila, this 2nd day of October, in the year of Our Lord, nineteen hundred and sixty-three.

(Sgd.) DIOSDADO MACAPAGAL

By the President:
(Sgd.) RUFINO G. HECHANOVA
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1963). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 77
AMENDING ADMINISTRATIVE ORDER NO. 67 DATED JULY 1, 1963, CONCERNING
JUSTICE OF THE PEACE RUFINO O. ABUDA

Under Administrative Order No. 67 dated July 1, 1963, Mr. Rufino O. Abuda was removed from office as justice of the peace of Quinapundan, Samar.

The charges under which Mr. Abuda was found guilty arose from his actuations in the trial of a criminal case pertaining to the justice of the peace court of Quinapundan, Samar. When the case was filed, Quinapundan and MacArthur formed a circuit justice of the peace court with Mr. Abuda as the judge. The circuit court was split in the appropriation act for the fiscal year 1957-1958, and although Mr. Abuda elected to become the justice of the peace of MacArthur, he continued to act as justice of the peace of Quinapundan because the incumbent of the latter office qualified only sometime in June 1959. Since then Mr. Abuda has been and still is justice of the peace of MacArthur, Samar.

Accordingly, the following portions of Administrative Order No. 67 dated July 1, 1963, are hereby amended as follows:

1. The title, to read: "REMOVING MR. RUFINO O. ABUDA FROM OFFICE AS JUSTICE OF THE PEACE OF MACARTHUR, SAMAR."

2. The first paragraph, to read: "This is an administrative case filed by Mrs. Irene V. Japzon against Mr. Rufino O. Abuda, Justice of the Peace of MacArthur, Samar, for undue delay in disposing of Criminal Case No. 428, partiality and acts unbecoming a public official during his incumbency as Justice of the Peace of Quinapundan."

3. The penultimate paragraph, to read: "Wherefore, and upon the recommendation of the Secretary of Justice, Mr. Rufino O. Abuda is hereby removed from office as Justice of the Peace of MacArthur, Samar, effective upon receipt of a copy of this order."

Done in the City of Manila, this 3rd day of October, in the year of Our Lord, nineteen hundred and sixty-three.

(Sgd.) DIOSDADO MACAPAGAL

By the President:
(Sgd.) RUFINO G. HECHANOVA
Executive Secretary

Source: Malacañang Records Office

Office of the President of the Philippines. (1963). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 78
AMENDING ADMINISTRATIVE ORDER NO. 262, SERIES OF 1958, STANDARDIZING
SALARIES FOR RANKING POSITIONS IN THE PROVINCIAL, CITY AND MUNICIPAL
GOVERNMENTS.

Pursuant to the provisions of Paragraph 4, Executive Order No. 405, series of 1951, implementing Section 3, Executive Order No. 383, series of 1950, and upon recommendation of the Secretary of Finance, I, DIOSDADO MACAPAGAL, President of the Philippines, do hereby prescribe the following standard rates of compensation for ranking positions in the provincial, city and municipal governments not otherwise fixed by law:

	Classes of Provinces						
	1st	2nd	3rd	4th	5th	6th	7th
1. OFFICE OF THE PROV. GOVERNOR							
Executive Assistant	6600	6000	5400	4800	4500	4200	3960
Chief Clerk or Adm. Officer	6000	5400	4800	4500	4200	3960	3720
Private Secretary	5400	4800	4500	4200	3960	3720	3480
Asst. Private Secretary	3960	3720	3480	3300	3120	2940	2760
Deputy Governor or Agent	3480	3300	3120	2940	2760	2580	2400
Chief of Division	6000	5400	4800	4500	4200	3960	3720
Asst. Chief of Division	4800	4500	4200	3960	3720	3480	3300
Chief of Section	4500	4200	3960	3720	3480	3300	3120
Asst. Chief of Section	4200	3960	3720	3480	3300	3120	2940
<u>JAIL</u>							
Warden	3960	3720	3480	3300	3120	2940	2760
Lieutenant	2760	2580	2400	2280	2160	2040	1920
Sergeant	2580	2400	2280	2160	2040	1920	1800
Private	2280	2160	2040	1920	1800	1680	1560
<u>OFFICE OF THE PROVINCIAL BOARD</u>							
Secretary	7800	7800	7500	7300	6900	6880	6700
Private Secretary	4800	4500	4200	3960	3720	3480	3300
2. OFFICE OF THE PROV. TREASURER							
Administrative Deputy	6600	6000	5400	4800	4500	4200	3960
Senior Deputy	5400	4800	4500	4200	3960	3720	3480
Junior Deputy	4800	4500	4200	3960	3720	3480	3300
Budget Examiner	5400	4800	4500	4200	3960	3720	3480
Market Administrator	5400	4800	4500	4200	3960	3720	3480

<u>CHIEF OF DIVISION</u>							
Accounting	6000	5400	4800	4500	4200	3960	3720
Cash	6000	5400	4800	4500	4200	3960	3720
Property	6000	5400	4800	4500	4200	3960	3720
Land Tax	6000	5400	4800	4500	4200	3960	3720
Correspondence & Records	5400	4800	4500	4200	3960	3720	3480
License & Fees	5400	4800	4500	4200	3960	3720	3480
Assistant Chief of Division	4800	4500	4200	3960	3720	3480	3300
Chief of Section	4500	4200	3960	3720	3480	3300	3120
Asst. Chief of Section	4200	3960	3720	3480	3300	3120	2940
<u>3. OFFICE OF THE PROV. AUDITOR</u>							
Senior Clerk	6600	6000	5400	4800	4500	4200	3960
<u>Chief of Division</u>							
Provincial	6000	5400	4800	4500	4200	3960	3720
Municipal	6000	5400	4800	4500	4200	3960	3720
Post Audit	6000	5400	4800	4500	4200	3960	3720
Miscellaneous	6000	5400	4800	4500	4200	3960	3720
Asst. Chief of Division	4800	4500	4200	3960	3720	3480	3300
Chief of Section	4500	4200	3960	3720	3480	3300	3120
Asst. Chief of Section	4200	3960	3720	3480	3300	3120	2940
<u>4. OFFICE OF THE PROV. ASSESSOR</u>							
Chief Deputy Assessor	6600	6000	5400	4800	4500	4200	3960
Senior Deputy Assessor	5400	4800	4500	4200	3960	3720	3480
Junior Deputy Assessor	4800	4500	4200	3960	3720	3480	3300
<u>Chief of Division</u>							
Land Appraisal	6000	5400	4800	4500	4200	3960	3720
Building Appraisal	6000	5400	4800	4500	4200	3960	3720
Surveying & Tax Mapping	6000	5400	4800	4500	4200	3960	3720
Research & Statistics	6000	5400	4800	4500	4200	3960	3720
Asst. Chief of Division	4800	4500	4200	3960	3720	3480	3300
Chief of Section	4500	4200	3960	3720	3480	3300	3120
<u>5. OFFICE OF THE HIGHWAY ENGINEER</u>							
Chief Clerk	5400	4800	4500	4200	3960	3720	3480
<u>Chief of Division</u>							
Accounting	4200	3960	3720	3480	3300	3120	2940
Property	4200	3960	3720	3480	3300	3120	2940
Correspondence & Records	3960	3720	3480	3300	3120	2940	2760
Asst. Chief of Division	3120	2940	2760	2580	2400	2280	2160
Chief of Section	2760	2580	2400	2280	2160	2040	1920
<u>6. OFFICE OF THE PROV. HEALTH OFFICER</u>							
Chief Clerk	4500	4200	3960	3720	3480	3300	3120
Nurse Supervisor	4200	3960	3720	3480	3300	3120	2940
Chief Sanitary Inspector	3720	3480	3300	3120	2940	2760	2580
Asst. Sanitary Inspector	2760	2580	2400	2280	2160	2040	1920
<u>7. OFFICE OF THE PROVINCIAL FISCAL</u>							
Chief Clerk	4200	3960	3720	3480	3300	3120	2940

8. BRANCH LIBRARY

Branch Librarian	4800	4500	4200	3960	3720	3480	3300
Asst. Branch Librarian	4200	3960	3720	3480	3300	3120	2940

CITY GOVERNMENTS**Classes of Cities**

	1st	2nd	3rd	4th	5th
1. OFFICE OF THE CITY MAYOR					
Executive Assistant	6600	6000	5400	4800	4500
Chief Clerk of Administrative Deputy	6000	5400	4800	4500	4200
Private Secretary	5400	4800	4500	4200	3960
Asst. Private Secretary	3960	3720	3480	3300	3120
Mayor's Deputy or Agent	3480	3300	3120	2940	2760
Chief of Division	6000	5400	4800	4500	4200
Asst. Chief of Division	4800	4500	4200	3960	3720
Chief of Section	4500	4200	3960	3720	3480
Asst. Chief of Section	4200	3960	3720	3480	3300
2. OFFICE OF THE CITY TREASURER					
Administrative Deputy	6600	6000	5400	4800	4500
Senior Deputy	5400	4800	4500	4200	3960
Junior Deputy	4800	4500	4200	3960	3720
Market Administrator	5400	4800	4500	4200	3960
<u>Chief of Division</u>					
Accounting	6000	5400	4800	4500	4200
Cash	6000	5400	4800	4500	4200
Property	6000	5400	4800	4500	4200
Land Tax	6000	5400	4800	4500	4200
City License & Fees	5400	4800	4500	4200	3960
Correspondence & Records Division	5400	4800	4500	4200	3960
Asst. Chief of Division	4800	4500	4200	3960	3720
Chief of Section	4500	4200	3960	3720	3480
Asst. Chief of Section	4200	3960	3720	3480	3300
3. OFFICE OF THE CITY AUDITOR					
Senior Clerk	6600	6000	5400	4800	4500
Chief of Division	6000	5400	4800	4500	4200
Asst. Chief of Division	4800	4500	4200	3960	3720
Chief of Section	4500	4200	3960	3720	3480
Asst. Chief of Section	4200	3960	3720	3480	3300
4. OFFICE OF THE CITY ASSESSOR					
Chief Deputy Assessor	6600	6000	5400	4800	4500
Senior Deputy	5400	4800	4500	4200	3960
Junior Deputy	4800	4500	4200	3960	3480
<u>Chief of Division</u>					
Land Appraisal	6000	5400	4800	4500	4200
Building Appraisal	6000	5400	4800	4500	4200
Surveying & Tax Mapping	6000	5400	4800	4500	4200

Research & Statistics	6000	5400	4800	4500	4200
Asst. Chief of Division	4800	4500	4200	3960	3720
Chief of Section	4500	4200	3960	3720	3480
5. OFFICE OF THE CITY ENGINEER					
Chief Clerk	5400	4800	4500	4200	3960
Chief of Division					
Accounting	4200	3960	3720	3480	3300
Property	4200	3960	3720	3480	3300
Correspondence & Records	3960	3720	3480	3300	3120
Asst. Chief of Division	3120	2940	2760	2580	2400
Chief of Section	2760	2580	2400	2280	2160
6. OFFICE OF THE CITY HEALTH OFFICER					
Chief Clerk	4500	4200	3960	3720	3480
Nurse Supervisor	4200	3960	3720	3480	3300
Chief, Sanitary Inspector	3720	3480	3300	3120	2940
Asst. Chief, Sanitary Inspector	2760	2580	2400	2280	2160
7. OFFICE OF THE CITY FISCAL					
Chief Clerk	4200	3960	3720	3480	3300
8. BRANCH LIBRARY					
Branch Librarian	4800	4500	4200	3960	3720
Asst. Branch Librarian	4200	3960	3720	3480	3300

Municipal Governments

The maximum rates of salary of municipal attorneys shall be the same as those of the municipal secretaries as fixed in Republic Act No. 2368.

The maximum rates herein prescribed shall be authorized only for provinces, cities and municipalities which have not exceeded in their appropriations for salaries and wages in accordance with the limitations prescribed in Republic Act No. 1836, Section 3 of Executive Order No. 405, series of 1951, and Section 4, Republic Act No. 2368, and have fully implemented the Minimum Wage Law. If the salaries of the present incumbents of the positions mentioned above should be reduced on account of the application of the above schedule, the said incumbents shall continue to receive their present salaries until their successors are appointed.

New position to be created in the different offices of the province and city shall be given salary rate one grade lower than the lowest position authorized for each office.

This Order shall not be made applicable to the cities of Manila, Quezon, Caloocan, Pasay and Baguio.

This supersedes Administrative Order No. 262, dated March 7, 1958.

This Order takes effect as of July 1, 1963.

Done in the City of Manila, this **5th** day of **October**, in the year of Our Lord, nineteen hundred and sixty-three.

(Sgd.) **DIOSDADO MACAPAGAL**

By the President:
(Sgd.) **RUFINO G. HECHANOVA**
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1963). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 79

REQUIRING ALL EXECUTIVE DEPARTMENTS, BUREAUS AND OFFICES TO RENDER
FULL ASSISTANCE TO THE LAND REFORM AGENCIES UNDERTAKING IMPLEMENTATION
OF THE AGRICULTURAL LAND REFORM CODE.

WHEREAS, the reforms contemplated by the Agricultural Land Reform Code are important and extensive;

WHEREAS, the organization established by the Code to undertake these reforms may be hampered by a lack of complement and resources sufficiently oriented to agriculture and the requirements of such reforms;

WHEREAS, such complement and resources may be made available from other executive agencies of the Government without unduly impairing the public service; and

WHEREAS, it is also essential to achieve economy and avoid duplication of efforts in the implementation of the intended reforms;

NOW, THEREFORE, I, DIOSDADO MACAPAGAL, President of the Philippines, by virtue of the powers vested in me by law, do hereby require and authorize all Executive Departments, Bureaus and Offices to:

1. Render full and adequate assistance to the National Land Reform Council in the implementation and execution of any land reform project instituted by the Council;
2. Provide the aforementioned assistance upon request of the Land Reform Council, in the form of personnel and other resources available from the Department, Bureau or Office concerned, and in the terms of the manpower, resource and other requirements of the project;
3. Give full priority and immediate attention to any such request of the Land Reform Council made in proper form and by its authority; and
4. Charge such assistance to the account of the Department, Bureau or Office providing the same, or to the benefiting land reform agency, or to both, in accordance with special arrangements made under existing laws or rules and regulations.

Done in the City of Manila, this 15th day of October, in the year of Our Lord, nineteen hundred and sixty-three.

(Sgd.) DIOSDADO MACAPAGAL

By the President:
(Sgd.) RUFINO G. HECHANOVA
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1963). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 80
CREATING A COMMITTEE TO STUDY THE REVISION OF THE MINIMUM WAGE LAW.

WHEREAS, since the enactment of the Minimum Wage Law (Rep. Act No. 602) in 1951, substantial changes have taken place in the cost of living and other phases of the economic life of our people which call for a revision and reexamination of the wages fixed by law for our working class; and

WHEREAS, it is necessary that the matter be thoroughly studied to the end that requisite legislation may be adopted to bring about a more realistic and adequate scale of wages for the improvement and amelioration of our employees and laborers with due regard to the capacity of the employers and their right to a just return for their investments.

NOW, THEREFORE, I, DIOSDADO MACAPAGAL, President of the Philippines, by virtue of the powers vested in me by law, do hereby create a committee to study and examine existing laws and regulations concerning wages and make necessary recommendations for their amendment or revision. It shall be composed of the following:

The Secretary of Finance	Chairman
The Chairman, NEC	Member
The Secretary of Labor	"
The Secretary of Commerce and Industry	"
The Secretary of Agriculture and Natural Resources	"
The Director General, Program Implementation Agency	"

The committee is empowered to call upon any department, bureau, office, agency or instrumentality of the government for such assistance as it may need in the performance of its duties.

The committee shall submit its report and recommendations, together with draft of legislative measure or measures, to the President before the opening of the next regular session of Congress.

Done in the City of Manila, this 28th day of December, in the year of Our Lord, nineteen hundred and sixty-three.

(Sgd.) DIOSDADO MACAPAGAL

By the President:
(Sgd.) RUFINO G. HECHANOVA
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1963). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 81
REVOKING ADMINISTRATIVE ORDER NO. 290 DATED FEBRUARY 3, 1959, REQUIRING
CERTAIN CONTRACTS OF GOVERNMENT OFFICES AND AGENCIES TO BE SUBMITTED
TO THE AUDITOR GENERAL FOR REVIEW.

In view of the delay occasioned by the prior review by the General Auditing Office of government contracts involving ₱10,000 or more, which has given rise to complaints and at times prejudice to the service where speedy action was necessary, and as the preaudit system of government transactions has already been withdrawn by the Auditor General and only those covered by Administrative Order No. 290, remain subject to preaudit, I, DIOSDADO MACAPAGAL, President of the Philippines, pursuant to the powers vested in me by law and upon the recommendation of the Auditor General, do hereby revoke Administrative Order No. 290 dated February 3, 1959. However, the following procedures and requirements shall henceforth be observed by the different offices and agencies:

1. The officers concerned shall anticipate the need or service requirements of their offices three (3) months in advance, if possible.
 2. As a general rule and except in permissible cases, all contracts shall be entered into only through public bidding.
 3. Bidders must first be prequalified before being issued invitations to bid forms and other bidding documents.
 4. The advertisement to bid shall contain all the required and exact specifications and conditions to avoid controversies which often delay the award and shall be given the widest publicity possible by publication in one or two daily newspapers of general circulation in the Philippines, by posting copies at the main entrance of the requisitioning office and other conspicuous places in the locality and by furnishing copies thereof to all known prospective bidders in the Philippines.
 5. Bids shall be opened by a Committee on Awards to be created for the purpose at the time and place set in the invitation to bid in the presence of attending bidders, or their authorized representatives, and a representative of the Auditor General. The date of opening shall not be less than ten (10) days from the date of first publication, if the goods are to be supplied from local stock, or twenty (20) days, if they are to be imported.
 6. The Committee on Awards shall make its recommendation within three (3) days from the opening of the bids.
 7. The contract shall not be entered into without a certificate showing that funds are available for the purpose.
 8. It is prohibited for any person to give, or promise to give, any money or gift to secure a government contract, which shall contain a provision that the private contractor warrants that he has not given or promised to give any money or gift to any official or employee to secure the contract and that any violation of said warranty shall be a sufficient ground for the Government to revoke or cancel the contract.
-

9. Copy of the perfected contract with certified copies of the award, abstract of bids, deliberations of the Award Committee, the bids submitted, notices and all other pertinent papers shall be furnished the Auditor General.

Done in the City of Manila, this 17th day of January, in the year of Our Lord, nineteen hundred and sixty-four.

(Sgd.) DIOSDADO MACAPAGAL

By the President:

(Sgd.) JUAN S. CANCIO

Acting Assistant Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1964). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 82

CONSIDERING MR. ORLANDO S. RIMANDO RESIGNED AND SEPARATED FROM
OFFICE AS JUSTICE OF THE PEACE OF GOVERNOR GENEROSO, DAVAO.

This is an administrative case filed by Mr. Catalino Sagulla, municipal mayor of Governor Generoso, Davao, against Mr. Orlando S. Rimando, justice of the peace of the same municipality, for various irregularities allegedly committed by him. The case was investigated by the District Judge who found respondent guilty as follows:

1. That . . . respondent . . . taking advantage of his official position, made immoral advances to Gloria Obial while the latter was detained in the municipal jail in connection with a criminal case for adultery then pending in his court.
2. That he failed to keep a proper record by means of appropriate orders of the proceedings in Crim. Case No. 764 of his court, particularly the various postponements, which gave reasonable ground to believe that he did not attend his court on the dates set for the trial of the case, except on two occasions.
3. That he violated the Civil Service rules and regulations by failing to formally file an application for leave of absence for the period March 4 to 7, 1959, when he was absent in his court to appear in a case in the Justice of the Peace Court of Initao, Misamis Oriental, even after his return to his station.

The record shows that Gloria Obial, who was charged with adultery, was detained in the municipal jail of Governor Generoso from October 13 to 26, 1955. During the investigation conducted by the District Judge, she testified that while she was under confinement, respondent succeeded in having carnal knowledge of her on two different occasions. On the first occasion, respondent went to the jail at midnight and told her to agree to what he would ask her, for he was the only one who could set her free, as he was the highest authority in Governor Generoso. Thereafter he brought her to his office and succeeded in having carnal knowledge of her twice. She was returned to the jail at dawn. After three days respondent sent a policeman to fetch her from the jail and he brought her to his house where he again satisfied his sexual lust. Respondent's third attempt failed because the policeman on duty did not allow her to go out of the jail. Gloria's coaccused in the adultery case, who was also confined in the municipal jail, corroborated her.

On the other hand, the policemen on duty testified that nothing unusual happened during the two nights that Gloria Obial was allegedly taken out of the jail; that she did not leave the jail any time at night; and that respondent never entered the jail.

However, the investigating Judge did not give credence to the testimony of the policemen for the reason that if their statement were otherwise they would be proceeded against criminally or administratively for neglect of official duties.

That respondent committed the acts imputed to him is not improbable considering, as regards the first occasion, the fact that the municipal jail where she was detained is situated in the same building as the office of the justice of the peace and at the time there was only one policeman on duty. As to the second occasion, she was taken to the place where respondent was living. It bears nothing that respondent chose the dead of the night to gratify his sexual urge.

As to the claim that there was bad blood owing to political differences between the complainant mayor and the respondent, it is believed rather remote that a woman would allow herself to be used as an instrument of either protagonist for inflicting harm on the other, especially so when her honor is involved. Gloria's testimony to the effect that she willingly went with the respondent on those two occasions and did not protest against his lewd designs would not make her unworthy of belief. This may be attributed to the fact that she is illiterate and believed that her freedom depended on the respondent as he had impressed upon her. At bottom, this matter resolves itself into a question of credibility, and the finding of the District Judge who had the opportunity to observe the various witnesses testify is entitled to great weight. No cogent reason exists for differing from his determination.

With respect to the second finding, the record shows that Criminal Case No. 764 of respondent's court for serious physical injuries was set for trial seven times but only two orders postponing the trial were made. The subpoena for the hearing of July 8, 1959, was signed by two cited witnesses, while those issued for the hearings of November 9 and December 7, 1959, and January 21, 1960, were signed by Sabino Regodon, the complaining witness, and another witness. All these scheduled hearings were not held and there is no record to show the reason for the failure to hold such hearings. According to the testimony of two witnesses for the complainant, the case was postponed several times because the judge was not present. The evidence confirms their testimony.

As to the third finding, the evidence shows that respondent was absent from his court to appear in a case before the justice of the peace of Initao, Misamis Oriental, from March 4 to 7, 1959, without any corresponding leave of absence.

In the light of the foregoing, the District Judge correctly found the respondent guilty of immorality and dereliction of duty. Consistently with the moral regeneration program of this administration and its policy of utmost honesty, dedication and efficiency on the part of those in the public service, there is no choice left but to terminate respondent's official relation with the government.

Wherefore, and upon the recommendation of the District Judge, Mr. Orlando S. Rimando is hereby considered resigned and separated from the service as justice of the peace of Governor Generoso, Davao, effective upon receipt of a copy of this order.

Done in the City of Manila, this 29th day of January, in the year of Our Lord, nineteen hundred and sixty-four.

(Sgd.) DIOSDADO MACAPAGAL

By the President:

(Sgd.) JUAN S. CANCIO

Acting Assistant Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1964). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 83
REPRIMANDING ASSISTANT FISCAL DIONISIO CLARIDAD OF BAGUIO CITY

This is an administrative case against Mr. Dionisio Claridad, assistant fiscal of Baguio City, for having allegedly inflicted physical injuries on Mr. Antonio Niñalga, the complainant. The case was investigated by the Department of Justice.

On November 3, 1961, about eight o'clock in the evening, respondent, in company with his children and some friends, was driving a car along Governor Pack Road. Upon reaching the intersection of Harrison Road, he stopped because of a truck coming from Harrison Road toward Governor Pack. The truck, which was driven by the complainant, turned toward the right side and due perhaps to miscalculation or because the driver was drunk, it rammed against the left rear side of respondent's car. Complainant did not stop, and respondent pursued him 1 1/2 kilometers away from the site of the accident. Respondent boarded the truck and assaulted complainant, causing him physical injuries which took 4 to 6 days to heal as shown in the medical certificate issued by a doctor of the Baguio General Hospital where he was treated.

An on-the-spot investigation showed that complainant was drunk and incoherent in his speech. He did not give a statement despite repeated requests made by the chief of police. His allegations that he was struck with the butt of a gun and that he did not feel the impact of the collision, to explain his failure to stop, are extremely doubtful, the same being contrary to the ordinary course of things. If he were hit with the butt of a gun, he would have sustained more serious injuries than he actually had.

From the report of the investigator of the Department of Justice it is gathered that respondent was prompted to act as he did because of the profane language and insults hurled against him by the complainant, who was drunk at the time, in the presence of respondent's children. Thus, the department investigator observed:

“Although the opinion of the undersigned is that Fiscal Claridad had no right to maul or hit the complainant, the background of the case as found out by the undersigned in his investigation is in favor of Fiscal Claridad. No self-respecting man can tolerate being insulted by a drunkard in the presence of his children. No self-respecting man can ignore profanity to be freely used against him when his children are present. It's a father's pride to be respected by his children and that pride is very badly hurt when a drunken driver freely insults a person in authority. We did not find anything in favor of the complainant.”

The above observations appear well taken and, considering the circumstances of sufficient provocation and obfuscation in favor of the respondent, Assistant Fiscal Dionisio Claridad is hereby strongly reprimanded, with a warning that repetition of similar act will be dealt with more severely.

Done in the City of Manila, this 31st day of January, in the year of Our Lord, nineteen hundred and sixty-four.

(Sgd.) DIOSDADO MACAPAGAL

By the President:
(Sgd.) JUAN S. CANCIO
Acting Assistant Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1964). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 84
CREATING A COMMITTEE TO STUDY AND FORMULATE
A NATIONAL CIVIL AVIATION POLICY.

WHEREAS, civil aviation has developed at an unprecedented pace, both in the international and domestic services;

WHEREAS, the operation of foreign air carriers in the Philippines involves considerations of reciprocity, domestic and international commerce, as well as our national security and relations with the respective countries;

WHEREAS, in the domestic field, the Philippines being an archipelago, air service is the most speedy, efficient and economical means of transportation between the different islands;

WHEREAS, to adequately extend the benefits of air transportation to the people, especially in the rural areas, a more intensive program for the development of domestic air services is necessary; and

WHEREAS, the Philippines having only one airline that offers scheduled services throughout the country and which is also our flag-carrier in the international air service, said airline's ability to effectively compete with foreign air carriers and to render adequate domestic service should be enhanced;

NOW, THEREFORE, I, DIOSDADO MACAPAGAL, President of the Philippines, pursuant to the authority vested in me by law, do hereby create a committee, to be known as the "Civil Aviation Policy Committee," to study, review, update and recommend a national civil aviation policy for both International and domestic services and to advise the President of the Philippines on how best to effectuate said national civil aviation policy.

The Committee shall be composed of the following:

The Chairman	
Civil Aeronautics Board	– Chairman
The Undersecretary	
Department of Foreign Affairs	– Member
The Commanding General	
Philippine Air Force	– Member
The Chairman of the Board or the President	
Philippine Air Lines, Inc.	– Member

The Committee is hereby authorized to call upon officials of any department, bureau, office, agency or instrumentality of the government, including government-owned or controlled corporations, for such assistance as it may need in discharging its duties and functions.

To adequately perform its duties and functions, the Committee may conduct investigations and, for that purpose, it is hereby granted all the powers of an investigating committee under Sections 71 and 580 of the Revised Administrative Code.

The Committee shall meet at the call of the Chairman.

The Committee shall report directly to the President of the Philippines.

Done in the City of Manila, this 1st day of February, in the year of Our Lord, nineteen hundred and sixty-four.

(Sgd.) DIOSDADO MACAPAGAL

By the President:

(Sgd.) JUAN S. CANCIO

Acting Assistant Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1964). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 85

**AUTHORIZING THE ECONOMIC INSURANCE COMPANY, INC. TO BECOME A SURETY
UPON OFFICIAL RECOGNIZANCES, STIPULATIONS, BONDS AND UNDERTAKINGS.**

WHEREAS, Section 1 of Act No. 536, as amended by Act No. 2206, provides that whenever any recognizance, stipulation, bond or undertaking conditioned for the faithful performance of any duty or of any contract made with any public authority, national, provincial, municipal or otherwise, or of any undertaking, or for doing or refraining from doing anything in such recognizance, stipulation, bond or undertaking specified is, by the laws of the Philippines or by the regulations or resolutions of any public authority therein, required or permitted to be given with one surety or with two or more sureties, the execution of the same or the guaranteeing of the performance of the condition thereof shall be sufficient when executed or guaranteed solely by any corporation organized under the laws of the Philippines, having power to guarantee the fidelity of persons holding positions of public or private trust and to execute and guarantee bonds or undertakings in judicial proceedings and to agree to the faithful performance of any contract or undertaking made with any public authority;

WHEREAS, said section further provides that no head of department, court, judge, officer, board or body, whether executive, legislative or judicial, shall approve or accept any corporation as surety on any recognizance, stipulation, bond, contract or undertaking unless such corporation has been authorized to do business in the Philippines in accordance with the provisions of said Act No. 536, as amended, nor unless such corporation has, by contract with the Government of the Philippines, been authorized to become a surety upon official recognizances, stipulations, bonds and undertakings; and

WHEREAS, the ECONOMIC INSURANCE COMPANY, INC., is a domestic corporation organized and existing under the laws of the Republic of the Philippines and fulfills the conditions prescribed by said Act No. 536, as amended.

NOW, THEREFORE, I, DIOSDADO MACAPAGAL, President of the Philippines, by virtue of the powers vested in me by law, do hereby authorize the ECONOMIC INSURANCE COMPANY, INC., to become a surety upon official recognizances, stipulations, bonds and undertakings, in such manner and under such conditions as are provided by law, subject to the conditions that the amount constituting the contributed surplus fund shall not at anytime be withdrawn and paid back in cash to the contributing stockholders without prior recommendation and justification by the Insurance Commissioner duly approved by the Secretary of Finance, and provided further, that the moment the ECONOMIC INSURANCE COMPANY, INC. becomes indebted to any government instrumentality or political subdivision thereof, or to any government-owned or controlled corporation in the total amount of ₱50,000.00 accruing from the issuance of bonds, the same having become due and demandable, the insurance company must voluntarily desist from writing or issuing all kinds of government bonds until the outstanding liabilities in government bond shall have been fully paid or settled. Non-payment of liabilities shall be a cause for the immediate revocation of the Administrative Order.

Done in the City of Manila, this 1st day of February, in the year of Our Lord, nineteen hundred and sixty-four.

(Sgd.) DIOSDADO MACAPAGAL

By the President:
(Sgd.) JUAN S. CANCIO
Acting Assistant Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1964). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 86
AUTHORIZING THE MIDLAND INSURANCE CORPORATION, TO BECOME A SURETY
UPON OFFICIAL RECOGNIZANCES, STIPULATIONS, BONDS AND UNDERTAKINGS.

WHEREAS, Section 1 of Act No. 536, as amended by Act No. 2206, provides that whenever any recognizance, stipulation, bond or undertaking conditioned for the faithful performance of any duty or of any contract made with any public authority, national, provincial, municipal or otherwise, or of any undertaking, or for doing or refraining from doing anything in such recognizance, stipulation, bond or undertaking specified is, by the laws of the Philippines, or by the regulations or resolutions of any public authority therein, required or permitted to be given with any surety or with two or more sureties, the execution of the same or the guaranteeing of the performance of the condition thereof shall be sufficient when executed or guaranteed solely by any corporation organized under the laws of the Philippines, having power to guarantee the fidelity of persons holding positions of public or private, trust and to execute and guarantee bonds or undertakings in judicial proceedings and to agree to the faithful performance of any contract or undertaking made with any public authority;

WHEREAS, said section further provides that no head of department, court, judge, officer, board or body, whether executive, legislative, or judicial, shall approve or accept any corporation as surety on any recognizance, stipulation, bond, contract or undertaking unless such corporation has been authorized to do business in the Philippines in accordance with the provisions of said Act No. 536, as amended, nor unless such corporation has, by contract with the Government of the Philippines, been authorized to become a surety upon official recognizances, stipulations, bonds and undertakings; and

WHEREAS, the MIDLAND INSURANCE CORPORATION, is a domestic corporation organized and existing under the laws of the Republic of the Philippines and fulfills the conditions prescribed by said Act No. 536, as amended.

NOW, THEREFORE, I, DIOSDADO MACAPAGAL, President of the Philippines, by virtue of the powers vested in me by law, do hereby authorize the MIDLAND INSURANCE CORPORATION, to become a surety upon official recognizances, stipulations, bonds and undertakings, in such manner and under such conditions as are provided by law, subject to the conditions that the amount constituting the contributed surplus fund shall not at anytime be withdrawn and paid back in cash to the contributing stockholders without prior recommendation and justification by the Insurance Commissioner duly approved by the Secretary of Finance, and provided further, that the moment the MIDLAND INSURANCE CORPORATION, becomes indebted to any government instrumentality or political subdivision thereof, or to any government-owned or controlled corporation in the total amount of ₱50,000.00 accruing from the issuance of bonds, the same having become due and demandable, the insurance company must voluntarily desist from writing or issuing all kinds of government bonds until the outstanding liabilities in government bond shall have been fully paid or settled. Non-payment of liabilities shall be a cause for the immediate revocation of the Administrative Order.

Done in the City of Manila, this 1st day of February, in the year of Our Lord, nineteen hundred and sixty-four.

(Sgd.) DIOSDADO MACAPAGAL

By the President:
(Sgd.) JUAN S. CANCIO
Acting Assistant Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1964). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 87

**AUTHORIZING THE MERCANTILE INSURANCE COMPANY, INC., TO BECOME A SURETY
UPON OFFICIAL RECOGNIZANCES, STIPULATIONS, BONDS AND UNDERTAKINGS.**

WHEREAS, Section 1 of Act No. 536, as amended by Act No. 2206, provides that whenever any recognizance, stipulation, bond or undertaking conditioned for the faithful performance of any duty or of any contract made with any public authority, national, provincial, municipal or otherwise or of any undertaking, or for doing or refraining from doing anything in such recognizance, stipulation, bond or undertaking specified is, by the laws of the Philippines or by the regulations or resolutions of any public authority therein, required or permitted to be given with one surety or with two or more sureties, the execution of the same or the guaranteeing of the performance of the condition thereof shall be sufficient when executed or guaranteed solely by any corporation organized under the laws of the Philippines, having power to guarantee the fidelity of persons holding positions of public or private trust and to execute and guarantee bonds or undertakings in judicial proceedings and to agree to the faithful performance of any contract or undertaking made with any public authority;

WHEREAS, said section further provides that no head of department, court, judge, officer, board or body, whether executive, legislative or judicial, shall approve or accept any corporation as surety on any recognizance, stipulation, bond, contract or undertaking unless such corporation has been authorized to do business in the Philippines in accordance with the provisions of said Act No. 536, as amended, nor unless such corporation has, by contract with the Government of the Philippines, been authorized to become a surety upon official recognizances, stipulations, bonds and undertakings; and

WHEREAS, the MERCANTILE INSURANCE COMPANY, INC., is a domestic corporation organized and existing under the laws of the Republic of the Philippines and fulfills the conditions prescribed by said Act No. 536, as amended;

NOW, THEREFORE, I, DIOSDADO MACAPAGAL, President of the Philippines, by virtue of the powers vested in me by law, do hereby authorize the MERCANTILE INSURANCE COMPANY, INC., to become a surety upon official recognizances, stipulations, bonds and undertakings in such manner and under such conditions as are provided by law, and to the further conditions that the amount constituting the contributed surplus fund shall not at anytime be withdrawn and paid back in cash to the contributing stockholders without prior recommendation and justification by the Insurance Commissioner duly approved by the Secretary of Finance, and that the moment the MERCANTILE INSURANCE COMPANY, INC., becomes indebted to any government instrumentality or political subdivision thereof, or to any government owned or controlled corporation in the total amount of ₱50,000.00 accruing from the issuance of bonds, the same having been due and demandable, the insurance company must voluntarily desist from writing or issuing all kinds of government bonds until the outstanding liabilities in government bonds shall have been fully paid or settled. Non-payment of liabilities shall be a cause for the immediate revocation of the Administrative Order.

Done in the City of Manila, this 1st day of February, in the year of Our Lord, nineteen hundred and sixty-four.

(Sgd.) DIOSDADO MACAPAGAL

By the President:
(Sgd.) JUAN S. CANCIO
Acting Assistant Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1964). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 88
CREATING A MUSLIM PILGRIMAGE COMMITTEE AND REVOKING ADMINISTRATIVE
ORDER NO. 318 DATED FEBRUARY 16, 1960.

Pursuant to the authority conferred upon me by law, I, DIOSDADO MACAPAGAL, President of the Philippines, do hereby create a Muslim Pilgrimage Committee composed of the following:

1. Secretary of Justice Salvador L. Mariño	Chairman
2. Secretary of National Defense Macario Peralta, Jr.	Member
3. Secretary of General Services Duma Sinsuat	"
4. Congressman Salih Ututalum	"
5. Acting Commissioner of Customs Jose B. Lingad	"
6. Minister Juan C. Dionisio	"
7. Undersecretary for Health and Medical Services Clemente S. Gatmaitan	"
8. Director General Armand Fabella	"
9. Associate Commissioner on National Integration Putli Amilbangsa	"

The Committee shall supervise the annual Filipino Muslim pilgrimage to the Holy Land. Administrative Order No. 318, dated February 16, 1960, is hereby revoked.

Done in the City of Manila, this 5th day of February, in the year of Our Lord, nineteen hundred and sixty-four.

(Sgd.) DIOSDADO MACAPAGAL

By the President:

(Sgd.) JUAN S. CANCIO

Acting Assistant Executive Secretary

Source: Malacañang Records Office

Office of the President of the Philippines. (1964). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 89
CREATING A COMMITTEE TO TAKE CHARGE OF THE NECROLOGICAL SERVICES
OF THE LATE GENERAL EMILIO AGUINALDO.

WHEREAS, Gen. Emilio Aguinaldo, President of the First Philippine Republic, died today; and

WHEREAS, it is highly fitting and proper that adequate arrangements be made for the holding of official necrological services and a state funeral for the departed General, commensurate with the esteem and respect in which he is held by the Filipino people, and with everlasting debt of gratitude that they owe him;

NOW, THEREFORE, I, DIOSDADO MACAPAGAL, President of the Philippines, by virtue of the powers vested in me by law, do hereby create a Committee to take charge of the funeral arrangements and burial of the late General, composed of the following:

Secretary Calixto O. Zaldivar	Chairman
Secretary Alejandro Roces	Member
Secretary Macario Peralta Jr.	"
Senator Gerardo Roxas	"
Senator Alejandro Almendras	"
Justice Roberto Regala	"
Commissioner Faustino Sy-Changco	"
Congressman Justiniano Montano	"
Congressman Jose B. Laurel Jr.	"
Secretary Librado D. Cayco	"
Undersecretary Manuel Feliciano	"
Governor Delfin Montano	"
General Alfredo Santos	"
Colonel Simeon Medalla	"
Don Ramon Fernandez	"
General Benito Natividad	"
Mr. Emilio Aguinaldo Jr.	"
Ambassador Manuel G. Zamora	Member-Secretary

Done in the City of Manila, this 6th day of February, in the year of Our Lord, nineteen hundred and sixty-four.

(Sgd.) DIOSDADO MACAPAGAL

By the President:

(Sgd.) JUAN S. CANCIO

Acting Assistant Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1964). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 90
AUTHORIZING THE ALLIED GUARANTEE INSURANCE COMPANY, INC.,
TO BECOME A SURETY UPON OFFICIAL RECOGNIZANCES, STIPULATIONS,
BONDS, AND UNDERTAKINGS.

WHEREAS, Section 1 of Act No. 536, as amended by Act No. 2206, provides that whenever any recognizance, stipulation, bond or undertaking conditioned for the faithful performance of any duty or of any contract made with any public authority, national, provincial, municipal or otherwise, or of any undertaking, or for doing or refraining from doing anything in such recognizance, stipulation, bond or undertaking specified is, by the laws of the Philippines, or by the regulations or resolutions of any public authority therein, required or permitted to be given with one surety or with two or more sureties, the execution of the same or the guaranteeing of the performance of the condition thereof shall be sufficient when executed or guaranteed solely by any corporation organized under the laws of the Philippines, having power to guarantee the fidelity of persons holding positions of public or private trust and to execute and guarantee bonds or undertakings in judicial proceedings and to agree to the faithful performance of any contract or undertaking made with any public authority;

WHEREAS, said section further provides that no head of department, court, judge, officer, board or body, whether executive, legislative, or judicial, shall approve or accept any corporation as surety on any recognizance, stipulation, bond, contract or undertaking unless such corporation has been authorized to do business in the Philippines in accordance with the provisions of said Act No. 536, as amended, nor unless such corporation has, by contract with the Government of the Philippines, been authorized to become a surety upon official recognizances, stipulations, bonds and undertakings; and

WHEREAS, the ALLIED GUARANTEE INSURANCE COMPANY, INC., is a domestic corporation organized and existing under the laws of the Republic of the Philippines and fulfills the conditions prescribed by said Act No. 536, as amended,

NOW, THEREFORE, I, DIOSDADO MACAPAGAL, President of the Philippines, by virtue of the powers vested in me by law, do hereby authorize the ALLIED GUARANTEE INSURANCE COMPANY, INC., to become a surety upon official recognizances, stipulations, bonds and undertakings, in such manner and under such conditions as are provided by law, subject to the conditions that the amount constituting the contributed surplus fund shall not at anytime be withdrawn and paid back in cash to the contributing stockholders without prior recommendation and justification by the Insurance Commissioner duly approved by the Secretary of Finance, and provided further, that the moment the ALLIED GUARANTEE INSURANCE COMPANY, INC., becomes indebted to any government instrumentality or political subdivision thereof, or to any government-owned or controlled corporation in the total amount of ₱50,000.00 accruing from the issuance of bonds, the same having become due and demandable, the insurance company must voluntarily desist from writing or issuing all kinds of government bonds until the outstanding liabilities in government bond shall have been fully paid or settled. Non-payment of liabilities shall be a cause for the immediate revocation of the Administrative Order.

Done in the City of Manila, this 6th day of February, in the year of Our Lord, nineteen hundred and sixty-four.

(Sgd.) DIOSDADO MACAPAGAL

By the President:

(Sgd.) JUAN S. CANCIO

Acting Assistant Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1964). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 91

CREATING A COMMITTEE TO TAKE CHARGE OF ALL ARRANGEMENTS CONNECTED WITH THE 9TH COUNCIL OF MINISTERS AND 10TH MILITARY ADVISERS MEETINGS OF THE SOUTH EAST ASIA TREATY ORGANIZATION TO BE HELD ON APRIL 9 TO 15, 1964.

By virtue of the powers vested in me by law, I, DIOSDADO MACAPAGAL, President of the Philippines, do hereby create a Committee to take charge of all arrangements in connection with the meetings of the Council of Ministers and Military Advisers of the South East Asia Treaty Organization to be held on April 9 to 15, 1964.

The Committee shall be composed of the following:

The Honorable Salvador P. Lopez Secretary of Foreign Affairs	Chairman
The Honorable Librado D. Cayco Undersecretary of Foreign Affairs	Member
The Honorable Alberto de Joya Undersecretary of National Defense	Member
The Honorable Duma Sinsuat Secretary of General Services	Member
The Honorable Jose Lachica Undersecretary for Transportation and Communications	Member
Brig. General Marcos G. Soliman Director, NICA	Member
Ambassador Tomas C. Benitez Office of the President	Member
Brig. General Victor H. Dizon Military Adviser	Member

The Committee shall be responsible for the planning, coordination and smooth execution of all arrangements that will be made in connection with the meetings.

The Committee is authorized to call upon any department, bureau, office, agency or instrumentality of the government, including government-owned or controlled corporations, for such assistance as it may need in discharging its functions.

Done in the City of Manila, this 13th day of March, in the year of Our Lord, nineteen hundred and sixty-four.

(Sgd.) DIOSDADO MACAPAGAL

By the President:
(Sgd.) CALIXTO O. ZALDIVAR
Acting Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1964). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 92
CREATING A COMMITTEE TO INVESTIGATE ALLEGED KICKBACKS WITH RESPECT
TO GOVERNMENT DEPOSITS IN PRIVATE COMMERCIAL BANKS AND TO DEVICE WAYS
AND MEANS FOR STOPPING OR PREVENTING THE SAME.

A committee is hereby created to investigate alleged kickbacks with respect to deposits of the government and its branches, agencies or instrumentalities, including government-owned or controlled corporations, in private commercial banks and to formulate ways and means to stop or prevent such anomalies. It shall be composed of the following:

Hon. Rufino G. Hechanova, Secretary of Finance
Hon. Andres V. Castillo, Governor of the Central Bank

For the purpose of the investigation, the committee is hereby granted all the powers of an investigating committee under Sections 71 and 580 of the Revised Administrative Code, including the power to summon witnesses, administer oaths and take testimony or evidence relevant to the investigation.

The committee is empowered to call upon any department, bureau, office, agency or instrumentality of the government for such assistance as it may need in the performance of its duties.

The committee shall submit its report and recommendations to the President of the Philippines as soon as possible, particularly on the proper and effective ways and means of stopping the anomalies.

Done in the City of Manila, this 14th day of April, in the year of Our Lord, nineteen hundred and sixty-four.

(Sgd.) DIOSDADO MACAPAGAL

By the President:
(Sgd.) CALIXTO O. ZALDIVAR
Acting Executive Secretary

Source: Malacañang Records Office

Office of the President of the Philippines. (1964). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 93
CREATING A PRESIDENTIAL SCHOOL BUILDING COMMITTEE.

In order to solve the nationwide schoolhouse problem, I, DIOSDADO MACAPAGAL, President of the Philippines, by virtue of the powers vested in me by law, do hereby create a Presidential School Building Committee.

1. The Committee shall be directly under and responsible to the President and shall be composed of the following:

Executive Secretary	Chairman
Secretary of National Defense	Member
Secretary of Education	"
Secretary of Public Works and Communications	"
Commissioner of the Budget	"
Presidential Assistant on Community Development (PACD)	"

2. The Committee shall have the following specific functions and responsibilities:

- a. It shall study, formulate and implement a nationwide school building program.
- b. It shall coordinate activities of various government agencies, offices, and instrumentalities engaged in the construction of school houses.
- c. It shall formulate rules and regulations to standardize planning and construction of public school buildings.
- d. It shall recommend to the President such legislation as may be necessary to implement effectively a schoolhouse building program.
- e. It shall receive and disburse funds appropriated for the construction of school buildings.
- f. It shall perform such other functions as the President may direct.

3. The Committee shall designate any government official as its Executive Officer.

4. The Chairman is authorized to issue directives, rules and regulations, approved by the Committee, to carry out the purposes of this Order. He is empowered to secure the detail of officers and employees from any department, office, agency or instrumentality of the Government to assist the Committee in the performance of its functions.

The President's Committee on Schoolhouse Program (PCSP) created under Memorandum dated July 28, 1954, is hereby abolished. All assets, liabilities and equipment of the PCSP shall be turned over to the Presidential School Building Committee (PSBC) effective this date.

Done in the City of Manila, this 5th day of May, in the year of Our Lord, nineteen hundred and sixty-four.

(Sgd.) DIOSDADO MACAPAGAL

By the President:
(Sgd.) CALIXTO O. ZALDIVAR
Acting Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1964). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 94
CREATING A NATIONAL COMMITTEE TO TAKE CHARGE OF THE CELEBRATION
OF PHILIPPINE INDEPENDENCE DAY ON JUNE 12, 1964.

Pursuant to the powers vested in me by law, I, DIOSDADO MACAPAGAL, President of the Philippines, do hereby create a National Committee to take charge of the celebration of Philippine Independence Day on June 12, 1964.

The Committee shall be composed of the following:

The Secretary of Education	Chairman
The Undersecretary of National Defense	Vice-Chairman
The Undersecretary of Public Works and Communications	Member
The Undersecretary of Labor	Member
The Deputy Administrator of Economic Coordination	Member
The Malacañang Press Secretary	Member
The Deputy Commissioner of the Budget	Member
The City Mayor of Manila	Member
The Director of Public Libraries	Member
The Director of National Museum	Member
The Consulting Architect, Bureau of Public Works	Member
The President, Philippine Association of Colleges & Universities (PACU)	Member
The President, Veterans Federation of the Philippines	Member
The President, National Press Club of the Philippines	Member
The President, Civic Assembly of Women of the Philippines	Member
Mr. Lamberto V. Avellana	Member
Mr. Manuel Collas	Member
The Presidential Protocol Officer	Member-Secretary

The Committee shall meet at the call of the Chairman and, for the purpose of discharging its functions, may create such sub-committees as may be necessary.

Done in the City of Manila, this 8th day of May, in the year of Our Lord, nineteen hundred and sixty-four.

(Sgd.) DIOSDADO MACAPAGAL

By the President:
(Sgd.) CALIXTO O. ZALDIVAR
Acting Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1964). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 95
ON THE MATTER OF THE MUSLIM PILGRIMAGE FIASCO OF 1962.

This refers to the Muslim pilgrimage in 1962 in which the foreign vessel SS Taipooan, overloaded with Philippine pilgrims to Mecca, was detained in Singapore and refused clearance to proceed to Mecca, leaving the pilgrims stranded in Singapore. The Department of Justice was requested to investigate the matter to ascertain the cause or causes which led to the overloading of the vessel and to submit recommendations with the end in view of preventing future occurrences of similar nature.

On March 16, 1962, following the change of administration, the Presidential Pilgrimage Committee created by Administrative Order No. 318 dated February 16, 1960, met in connection with the pilgrimage for that year. The next day, March 17, interested parties were required by Commissioner on Integration Gabriel Dunuan, a committee member and secretary, to submit offers for the transportation of pilgrims to Mecca. Of the offers made, that of Governor Ali Dimaporo of Lanao del Norte being the lowest at ₱500 each passenger was accepted by the committee. The award was made without inspection of the vessel which was to carry the pilgrims, nor was its identity disclosed to the committee so that it could check on the representations made by the offeror. It was not known in what capacity, whether as ship agent or as charterer, the governor was acting. Evidently the committee relied on his assurances to comply with maritime, customs and health regulations and thought of the low fare offered by him. The award had to be made as soon as possible in view of the little time left for the religious journey.

As a result of the award to Governor Dimaporo of the pilgrimage contract, the SS Taipooan, a Hongkong vessel, proceeded to Zamboanga, arriving there on April 4, 1962. About 70 to 150 passengers including children boarded the vessel which sailed for Jolo the next day. Before the boat could berth thereat, passengers began climbing aboard through the ropes thrown from the wharf. A human flood invaded the ship. No authorities dared control the impact of passengers. Some 320 to 400 passengers boarded in Jolo, making the total number of passengers therein from 390 to 550 when the vessel left Jolo for Zamboanga on April 6. Another 400 to 500 persons boarded the ship, so that there were around 1,000 passengers on board when it sailed for Parang on April 9, where a large number of passengers again invaded the ship.

From Parang the boat returned to Zamboanga. Passengers were made to disembark at the Zamboanga wharf on April 14 around 9 p.m. for a final check. They were told that the ship's capacity was only 800 passengers. Some sort of order was restored prior to the departure of the ship when customs officers aided by the local PC garrison helped in checking the passengers' papers and documents. The customs list issued prior to the departure of the ship showed that there were 812 passengers. Judged by the occurrences at Jolo and Parang, a large number of passengers must have slipped on board the ship without the proper clearances, IDs and customs checks.

The ship left Zamboanga on April 15. Normally the captain would not have sailed, but decided to do so because of the tense situation which might worsen if he delayed the sailing further. He had to lift the gangplank even with people on it. While the vessel was already proceeding toward Basilan

numerous launches and small boats whose occupants were still madly attempting to board the vessel were in tow. Later the ship slowed down at San Ramon where about 300 passengers boarded it. After proceeding on its way, the ship reversed course for Zamboanga and anchored between Zamboanga wharf and the island of Sta. Cruz where more passengers boarded.

About 10 a.m. on April 15 the captain sent a cable to Singapore requesting that his ship be surveyed, since he was obliged to break out of Zamboanga in the face of an uncontrollable mob violence. The ship was later met by a British frigate and escorted to Singapore where the passengers were made to disembark and an actual count of them was made. The count showed that there were 1,913 passengers, although it had only an allowable capacity of 736 passengers. In other words, the vessel was grossly overloaded by 1,177 passengers mostly Maranaws, the rest from Jolo, Basilan City and Zamboanga.

The pilgrims were stranded in Singapore, as the authorities thereof cancelled the passenger license of the vessel. As a result of the pilgrimage fiasco, the Government of Singapore filed a claim equivalent to ₱82,890.22 for expenses incurred for the pilgrims during their stay in Singapore while the Philippine Navy claimed ₱89,224.93 for expenses in ferrying the passengers to the Philippines.

The Secretary of Justice stated that “the Presidential Muslim Pilgrimage Committee is the authority specifically entrusted with the duty of supervising annual Muslim pilgrimages.” During the pilgrimage in question, the chairman of the committee was Vice-President Emmanuel Pelaez. The Secretary of Justice made the following findings:

“The Committee made the award in favor of Governor Ali Dimaporo without even knowing in what capacity he was acting, that is, whether as ship agent or as charterer, and without requiring him to produce his authority to commit the vessel for the required purpose. Indeed, the award was made without ascertaining the identity of the vessel. (Please see Minutes of the meetings held by the Committee at the Department of Foreign Affairs on March 16, 20 and 21, 1962; ‘Report on the terms offered by the contending promoters for the Muslim Pilgrimage’ dated March 20, 1962 of Commissioner Dunuan and Comparative Chart, entitled ‘Comparative Offers of Prospective Charterers for Muslim Pilgrims’.) Also, the Committee failed to prescribe a maximum passenger limit and to exact stricter guarantees to assure compliance with the conditions of the award. (Please see Minutes of the meeting of the Committee, March 21, 1962, Performance Bond, and Certification dated March 23, 1962 of Governor Dimaporo, attached to the Performance Bond.)”

The Secretary of Justice has recommended that all subsequent pilgrimages should be planned carefully and well ahead of time by the pilgrimage committee and the actual solicitation of passengers be made by the same committee which shall take charge of obtaining passports and visas for the passengers, as well as the taking care of their actual transportation. Towards this end, the Secretary has suggested that the passports and IDs should be retained until the passengers have finally boarded the ship; that at every port where the vessel will stop to pick passengers, a representative of the committee should have a list of the passengers from the place; and that as soon as the name of a passenger is called, he will then be handed his papers and allowed to board the ship.

From a careful study of the matter, it is believed that the pilgrimage committee was somehow remiss in the discharge of its duties in the sense that the proper officials who took part in the negotiations or deliberations for the transportation of the pilgrims to Mecca seemed to have failed to

observe due safeguards and impose sufficient guarantees in the award and execution of the contract, including the fixing of maximum passengers, and left a lot to the representations and assurances of the offeror.

In favor of the committee, it may be said that it was racing against time and had to make a hurried decision, as the date of the religious trip was close at hand and it was dealing with a responsible public official who had experience in ferrying passengers and who filed a performance bond of ₱150,000 relieving the government of any expense in the pilgrimage and securing it against any claim or expense that might be charged or incurred by it in connection with the pilgrimage.

On the whole, the responsibility for negligence for the pilgrimage fiasco, which was due to the overloading of the vessel, was attributable in large measure to the behavior of many of the passengers and, with respect to the Pilgrimage Committee, should be laid on the member who actively handled the matter on behalf of the committee, Commissioner on Integration Gabriel Dunuan, not in his official capacity but as a leader of the cultural minorities, as well as to Vice-President Emmanuel Pelaez as chairman of the committee, who must necessarily answer for negligence in connection with the choice of the awardee of the pilgrimage contract and in practically leaving the whole affair of such magnitude and importance to the members of the committee. A new committee has been created to handle the pilgrimages in the future.

Done in the City of Manila, this 12th day of May, in the year of Our Lord, nineteen hundred and sixty-four.

(Sgd.) DIOSDADO MACAPAGAL

By the President:

(Sgd.) CALIXTO O. ZALDIVAR

Acting Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1964). [*Administrative Order Nos.: 1 - 191*]. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 96
AMENDMENT TO AUTHORITY GRANTED TO INSURANCE AND SURETY COMPANIES
TO BECOME SURETIES UPON OFFICIAL RECOGNIZANCES, STIPULATIONS, BONDS
AND UNDERTAKINGS.

The authorities previously granted under the provisions of Act Numbered five Hundred and Thirty-Six, as amended by Act Numbered Twenty-Two Hundred and Six, to surety and insurance companies in the Philippines to become sureties upon official recognizances, stipulations, bonds and undertakings in such manner and under such conditions as may be provided by law, are hereby amended, insofar as inconsistent herewith, so that, hereafter, the amount constituting the contributed surplus fund shall not at anytime be withdrawn and paid back in cash to the contributing stockholders without prior recommendation and justification by the Insurance Commissioner duly approved by the Secretary of Finance, and provided further, that the moment a surety company becomes indebted to any government instrumentality or political subdivision thereof, or to any government owned or controlled corporation in the total amount of ₱50,000.00 accruing from the issuance of bonds, the same having been due and demandable, the insurance company must voluntarily desist from writing or issuing all kinds of bonds until the outstanding liabilities in government bonds shall have been fully paid or settled. Non-payment of liabilities shall be a cause for the immediate revocation of the Administrative Order.

Done in the City of Manila, this 4th day of June, in the year of Our Lord, nineteen hundred and sixty-four.

(Sgd.) DIOSDADO MACAPAGAL

By the President:
(Sgd.) CALIXTO O. ZALVIDAR
Acting Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1964). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 97
CREATING A NATIONAL COMMITTEE TO TAKE CHARGE OF THE OBSERVANCE
OF PHILIPPINE-AMERICAN FRIENDSHIP.

Pursuant to the powers vested in me by law, I, DIOSDADO MACAPAGAL, President of the Philippines, do hereby create a National Committee to take charge of the observance of July 4, 1964, in the best traditions of Philippine-American Friendship.

The Committee shall be composed of the following:

The Secretary of Education	Chairman
The Secretary of National Defense	Vice-Chairman
The Secretary of Public Works and Communications	Member
The Undersecretary of Foreign Affairs	Member
The Presidential Protocol Officer	Member-Secretary

The Committee shall meet at the call of the Chairman and, for the purpose of discharging its functions, may create such sub-committee as may be necessary.

Done in the City of Manila, this 2nd day of July, in the year of Our Lord, nineteen hundred and sixty-four.

(Sgd.) DIOSDADO MACAPAGAL

By the President:

(Sgd.) CALIXTO O. ZALVIDAR
Acting Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1964). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 98
CREATING A COMMITTEE TO TAKE CHARGE OF ARRANGEMENTS FOR THE
PARTICIPATION OF THE GOVERNMENT IN THE FOURTH CENTENNIAL CELEBRATION
OF THE CHRISTIANIZATION OF THE PHILIPPINES.

Pursuant to the authority conferred upon me by law, I, DIOSDADO MACAPAGAL, President of the Philippines, do hereby create a committee to take charge of arrangements for the participation of the government in the Fourth Centennial Celebration of the Christianization of the Philippines to be held in Cebu from April 27 to May 2, 1965, composed of the following:

1. The Secretary of Finance	Chairman
2. The Secretary of Foreign Affairs	Member
3. The Secretary of Education	"
4. The Executive Secretary	"
5. The Secretary of Public Works and Communications	"
6. The Secretary of National Defense	"
7. The Press Secretary	"
8. The Mayor of Cebu City	"
9. The Provincial Governor of Cebu	"
10. The Commissioner of Tourism	"
11. A representative of the Philippines Historical Committee	"

The Committee is hereby authorized to call upon officials and employees of any department, bureau, office, agency or instrumentality of the government, including government-owned or controlled corporations, for such assistance as it may need in discharging its duties and functions.

The Committee shall meet at the call of the Chairman.

The Committee shall report directly to the President of the Philippines.

Done in the City of Manila, this 7th day of July, in the year of Our Lord, nineteen hundred and sixty-four.

(Sgd.) DIOSDADO MACAPAGAL

By the President:
(Sgd.) CALIXTO O. ZALVIDAR
Acting Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1964). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 99

MODIFYING ADMINISTRATIVE ORDER NO. 310 DATED SEPTEMBER 3, 1959, BY CONSIDERING THE SEPARATION OF FORMER ASSISTANT FISCAL GAUDENCIO T. BOCOBO OF MANILA WITHOUT PREJUDICE TO REINSTATEMENT IN THE PUBLIC SERVICE AT THE INITIATIVE OF THE APPOINTING AUTHORITY.

Under Administrative Order No. 310 dated September 3, 1959, Mr. Gaudencio T. Bocobo was considered resigned as assistant fiscal of Manila effective as of his preventive suspension on August 7, 1954, with prejudice to reinstatement in the government service, for having been found guilty of involvement in guerrilla racket activities.

Upon his request for reconsideration, the then Undersecretary of Justice (Juan Liwag) recommended his exoneration with a severe reprimand. The Undersecretary found that with the retraction of the star witness for the prosecution in the course of his testimony, the charge against the respondent must fall for lack of sufficient evidence to support it. However, he found the respondent wanting in that circumspection which should have placed him on guard against possible involvement in what appeared to be a large-scale fraudulent scheme, by not tolerating any element of the transactions, which were fraught with possibilities for the commission of fraud and deception by some unscrupulous parties, to be done in his very residence, as people would naturally believe that everything must be on the level because it was being done with the apparent knowledge and acquiescence of a public prosecutor whose close relatives were somehow involved.

In view of the high standard of official decorum set by this administration for public servants to observe, in that they must not only be upright but beyond suspicion and reproach, even if respondent were truly innocent of the charge, he would still deserve separation because of the attendant harm and prejudice suffered by numerous unsuspecting persons who were victimized in the fraudulent scheme. However, considering the findings of the former Undersecretary of Justice and the length of time that has elapsed since respondent was separated from the service, it is believed that the decision may be modified insofar as his separation constitutes a bar to his reinstatement in the public service.

Wherefore, Administrative Order No. 310 dated September 3, 1959, is hereby modified in the sense that Mr. Gaudencio T. Bocobo's separation shall be without prejudice to his reinstatement in the public service at the discretion of the appointing authority.

Let the records of this case be returned to the Department of Justice for the taking of such criminal action against the persons concerned as may be warranted in the premises.

Done in the City of Manila, this 9th day of July, in the year of Our Lord, nineteen hundred and sixty-four.

(Sgd.) DIOSDADO MACAPAGAL

By the President:
(Sgd.) JUAN S. CANCIO
Acting Assistant Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1964). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACANANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 100MODIFYING ADMINISTRATIVE ORDER NO. 308 DATED AUGUST 31, 1959,
CONCERNING FORMER UNDERSECRETARY OF FINANCE JOSE P. TRINIDAD.

This is a request for reconsideration of Administrative Order No. 308 dated August 31, 1959, in the administrative case of former Undersecretary of Finance Jose P. Trinidad, recently retired as Undersecretary of General Services, by virtue of which he was meted out the penalty corresponding to the period of his preventive suspension (13-1/2 months) for neglect in the performance of duty, aggravated by the fact that he was aware that the use of tax exemption privileges resulted in a decline in government revenues and that the privilege was capable of being misused to evade payment of duties and taxes. However, the former President in his decision stressed that respondent was not impelled by any corrupt or dishonest motive and that he had more than 30 years of satisfactory service.

Respondent claims that the former President was partial and prejudiced against him and that there were omissions and errors in the evaluation of facts brought out in the investigation.

This case arose from the alleged irregular issuance by respondent of tax exempt release certificates for 19 importations to the Great Oriental Manufacturer and Trader, owned by Robert Tan to whom tax exemption privilege was issued by the Secretary of Finance under Republic Act No. 901 for the operation of a galvanized iron plant in Lucena, Quezon, authorizing him to import tax free black iron or steel sheets as raw materials. Issuance of tax exemption release certificates governing importations of tax exempt industries in implementation of the grant of the privileged by the Secretary of Finance was the responsibility of respondent as then Undersecretary of Finance.

The burden of the findings against the respondent is that he was negligent in signing the tax release certificates without going over the documents accompanying the application for tax exemptions and relying solely on the reports and recommendations of his processors, and not requiring his processors to determine the dates of the alleged transfers of shipments from the original importers or consignees to Robert Tan, etc., thus enabling the the latter to effect the release tax free of galvanized iron sheets and machinery not covered by his tax exemption certificate and not used for the industry for which he was given the tax exemption, to the damage of the government in the sum of ₱106,040.22 as uncollected duties and taxes thereon.

As to the alleged partiality and prejudice of the then President against respondent for having supposedly displeased in his official actuations some persons close to the former, I am not inclined to give serious thought thereto, it appearing that the decision on the case was based on the findings of the investigating committee, the only difference being that whereas the committee recommended suspension for six months, the former President imposed a longer suspension equivalent to 13-1/2 months.

However, a review of the record tends to sustain certain observations made by the respondent in support of his petition for reconsideration. For instance, the statement in the decision that the respondent did not even once go over the documents accompanying the applications and relied solely on the reports of his processors, which if true is really a serious omission, seems rather exaggerated and

against the facts, not only because the decision itself recognized that “with one exception” respondent’s approval appeared to have been given as a matter of routine, but also because, as pointed out by the respondent, he disapproved some 344 other applications. This only goes to show that he disapproved a good number of those favorably recommended by the processors, with the corollary implication that he studied the applications and was not a mere rubber stamp.

Moreover, respondent claimed that the issuance by him of tax exempt clearance certificates was not absolute but subject to certain conditions that must be observed and satisfied before the customs authorities should order the release of the goods tax free. In other words, examination or verification of compliance with the tax exempt privilege devolved not only on the part of the Department of Finance processors but also on that of customs examiners.

Respondent also stressed that Tan’s applications were only an insignificant portion of the 27,000 other applications acted upon by him during the period involved, 1956 and 1957, or at the rate of about 84 applications a day; that under the regulations, action was required to be taken within 24 hours, without sacrificing thoroughness in the processing thereof; and that an amicable settlement of the duties and taxes due had been arrived at and a big portion thereof had been paid.

While I am for utmost efficiency and dedication in the discharge of official duties, I believe that, in the light of the attendant facts and circumstances, the penalty imposed on the respondent was rather too severe, considering the admitted absence on respondent’s part of any corrupt or dishonest motive and his long years of satisfactory service.

Wherefore, Administrative Order No. 308 dated August 31, 1959, is hereby modified in the sense that instead of suspension therein provided Mr. Jose P. Trinidad shall be considered reprimanded.

Done in the City of Manila, this 9th day of July, in the year of Our Lord, nineteen hundred and sixty-four.

(Sgd.) DIOSDADO MACAPAGAL

By the President:

(Sgd.) JUAN S. CANCIO

Acting Assistant Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1964). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 101
REPRIMANDING MR. PACIFICO QUINEZ, ACTING PROVINCIAL TREASURER OF TARLAC.

This is an administrative case against Mr. Pacifico Quinez, Acting Provincial Treasurer of Tarlac, for misuse of trust funds in the amount of ₱91,403.66 as of January 31, 1962, in violation of Section 614 of the Revised Administrative Code.

Respondent in his letter of February 15, 1962, to the Auditor General, through the Secretary of Finance, admitted having used trust funds amounting to ₱216,538.62 as of January 31, 1962, in payment of expenses payable from local funds due “to the slow receipt of expected revenues on one hand, and the rather fast rate of expenditure on the other hand.” Said letter shows that he was then well aware of the illegality of using trust funds for purposes other than those for which they are held in trust and therefore sought official sanction for the continued use of trust funds for local expenditures.

In its 1st indorsement of March 27, 1962, the Department of Finance not only disauthorized further misuse of trust funds but also required respondent to explain why no disciplinary action should be taken against him for illegal use of trust funds in the amount of ₱193,660 as of January 31, 1962. In his answer dated May 7, 1962, respondent again admitted the illegal application of trust funds but claimed that the sum involved amounted to ₱91,403.66 only. The Department accepted the reduced amount as correct and forthwith formally charged him with misusing the same.

In a letter dated August 3, 1962, to the Secretary of Finance, respondent made a complete denial of the charge, claiming that there could have been no basis for the charge of misusing trust funds had the proper adjustment entries been made, presenting as evidence certified true copies of the ledger sheet and the special journal vouchers, which contained the various adjustments.

Respondent’s explanation is not satisfactory. He admitted misusing trust funds and even went to the extent of correcting the amount involved, for which reason he cannot now claim that he was never guilty of illegal use of trust funds. As stated by the Secretary of Finance, the so-called adjustments, made in the month of June 1962 after formal charges had been filed, are but an eleventh-hour attempt to extricate himself from a difficult situation of his own making.

However, it appears that respondent was able to liquidate the overdraft in the trust funds within a short time.

Wherefore, and upon the recommendation of the Secretary of Finance, Acting Provincial Treasurer Pacifico Quinez is hereby reprimanded and warned that a repetition of similar offense will be dealt with more severely.

Done in the City of Manila, this 9th day of July, in the year of Our Lord, nineteen hundred and sixty-four.

(Sgd.) DIOSDADO MACAPAGAL

By the President:
(Sgd.) JUAN S. CANCIO
Acting Assistant Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1964). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 102

MODIFYING ADMINISTRATIVE ORDER NO. 212 DATED AUGUST 24, 1956,
IN THE CASE OF FORMER JUSTICE OF THE PEACE JOSE A. STRACHAN OF ESCALANTE,
NEGROS OCCIDENTAL.

On August 24, 1956, Mr. Jose A. Strachan was removed as justice of the peace of Escalante, Negros Occidental, for arbitrarily ordering the imprisonment of an accused and falsifying public records (Adm. Order No. 212). In view of the dismissal of the criminal cases against him for the same acts, he requests that he be reinstated to his former post or else appointed to another suitable position, with back salary.

An administrative case is different from and independent of a criminal case. The purpose, procedure and requisite quantum of evidence differ in both. Hence an officer's removal from office after an administrative investigation is not rendered nugatory by his subsequent acquittal in a criminal case for the same act involved in the administrative case. This distinction holds all the more in the case of Mr. Strachan. His administrative case was formally investigated by the District Judge under all safeguards of due process and his removal decreed after a uniform finding of guilt by the investigating judge, the then Secretary of Justice and the former President; whereas the criminal cases against him were never tried on the merits but were dismissed on motion of the assistant provincial fiscal after a reinvestigation.

In strict law, therefore, Mr. Strachan's reinstatement to his former position with back salary is without merit. However, considering the length of time that he has been out of the public service, the bar to his reentry therein may now be removed.

Wherefore, Administrative Order No. 212 dated August 24, 1956, is hereby modified in the sense that Mr. Jose A. Strachan's removal is without prejudice to his reappointment in the government service at the initiative of the appointing authority.

Done in the City of Manila, this 9th day of July, in the year of Our Lord, nineteen hundred and sixty-four.

(Sgd.) DIOSDADO MACAPAGAL

By the President:

(Sgd.) JUAN S. CANCIO

Acting Assistant Executive Secretary

Source: Malacañang Records Office

Office of the President of the Philippines. (1964). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 103
CREATING A COMMITTEE FOR INTEGRATED SOCIO-ECONOMIC DEVELOPMENT
PROJECTS.

WHEREAS, in order to hasten the implementation of our socio-economic program it is necessary to exert intensive efforts toward the integration of action programs and the expansion thereof by maximizing the use of locally available financial and human resources; and

WHEREAS, a committee is needed to undertake the task of planning one or two integrated impact projects for presentation to the United Nations Special Fund (UNSF) as a proposal for obtaining UNSF assistance;

NOW, THEREFORE, I, DIOSDADO MACAPAGAL, President of the Philippines, by virtue of the powers vested in me by law, do hereby create a Committee for Integrated Socio-Economic Development Projects, composed of the following:

- | | |
|---|----------|
| 1. Hon. Rufino G. Hechanova, Secretary of Finance | Chairman |
| 2. Hon. Hilarion Henares Jr., Chairman, National Economic Council | Member |
| 3. Hon. Jose Y. Feliciano, Acting Secretary of Agriculture and Natural
Resources | Member |
| 4. Hon. Armand Fabella, Director General, Program Implementation Agency | Member |

The Committee shall immediately organize a technical staff to be drawn from the existing personnel of the Department of Finance, National Economic Council, the Department of Agriculture and Natural Resources, the Program Implementation Agency and the College of Agriculture, University of the Philippines.

The Committee shall submit to the President the plans for the projects as soon as possible.

Done in the City of Manila, this 28th day of July, in the year of Our Lord, nineteen hundred and sixty-four.

(Sgd.) DIOSDADO MACAPAGAL

By the President:

(Sgd.) CALIXTO O. ZALVIDAR

Acting Executive Secretary

Source: Malacañang Records Office

Office of the President of the Philippines. (1964). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 104AMENDING ADMINISTRATIVE ORDER NO. 22 DATED SEPTEMBER 17, 1962, ENTITLED,
“CREATING A COMMITTEE TO TAKE CHARGE OF ALL ARRANGEMENTS CONNECTED
WITH STATE VISITS.”

The second paragraph of Administrative Order No. 22 dated September 17, 1962, is hereby amended to read as follows:

“The Committee shall be composed of the following:

The Honorable Alejandro Roces	
Secretary of Education	Chairman
The Honorable Rufino Hechanova	
Secretary of Finance	Member
The Honorable Macario Peralta, Jr.	
Secretary of National Defense	Member
The Honorable Librado Cayco	
Undersecretary of Foreign Affairs	Member
The Honorable Onofre Guevarra	
Undersecretary of Labor	Member
Gen. Victor H. Dizon	
Military Adviser and Senior Aide to the President	Member
Mr. Benigno Toda, Jr.	Member
Miss Conchita Sunico	Member
President, National Press Club	Member
A representative of the visitor’s diplomatic mission or country	Member
Ambassador Manuel Zamora	Member-Secretary

Done in the City of Manila, this 6th day of August, in the year of Our Lord, nineteen hundred and sixty-four.

(Sgd.) DIOSDADO MACAPAGAL

By the President:
(Sgd.) CALIXTO O. ZALVIDAR
Acting Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1964). [*Administrative Order Nos.: 1 - 191*]. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 105
AMENDING ADMINISTRATIVE ORDER NO. 26 DATED OCTOBER 3, 1962, ENTITLED
“CREATING THE NATIONAL COMMITTEE ON FREEDOM FROM HUNGER CAMPAIGN.”

The fourth paragraph of Administrative Order No. 26 dated October 3, 1962, is hereby amended to read as follows:

“The Committee shall be composed of the following:

1. The Secretary of Agriculture and Natural Resources
2. The President, Manila Rotary Club
3. The President, National Federation of Women’s Club
4. The President, Junior Chamber of Commerce
5. The President, Philippine Chamber of Agriculture and Natural Resources
6. The Commander, Philippine Veterans Legion
7. The Chairman, Operations Brotherhood
8. The President, Town Hall of the Philippines
9. The Executive Secretary, Nutrition Foundation of the Philippines
10. The Presidential Assistant on Community Development
11. The President, Barrio Lieutenants Association
12. The President, National Press Club
13. The National Scout Executive, Boy Scout of the Philippines
14. The President, Philippine Rural Reconstruction Movement
15. The President, Nation-Ad Philippines, Inc.”

Done in the City of Manila, this 6th day of August, in the year of Our Lord, nineteen hundred and sixty-four.

(Sgd.) DIOSDADO MACAPAGAL

By the President:
(Sgd.) CALIXTO O. ZALVIDAR
Acting Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1964). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 106
EXONERATING MR. FELIX P. AMANTE AS ACTING DIRECTOR OF PRISONS

This is an administrative case against Acting Director of Prisons Felix P. Amante arising from the privileged speech delivered by Representative Teodulo C. Natividad charging him as follows:

1. That during his incumbency, Director Amante issued passes to 665 hardened criminals to go out from the prison reservation to Manila and surrounding areas for the purposes of obtaining supplies and materials needed in the prison compound and for “political purposes” without adequate guards;
2. That the respondent Director purchased a ₱14,500 Willy’s Station Wagon and a Chevrolet Sedan worth ₱18,500 aside from a Chrysler car for his exclusive use and his family;
3. That the respondent Director caused the spending of ₱22,000 for the purchase of tierra tiles for the improvement of the Administration Building without attending first to the kitchen which is unsanitary and shabby;
4. That the respondent Director caused the barter of ₱35,000 worth of steel mattings with a battered jeep and 10 bicycles to the detriment of the Government;
5. That the respondent Director showed rampant favoritism both in the hiring of personnel and in the granting of living quarters at the expense of prison doctors and other officials entitled thereto;
6. That the respondent Director caused the stockpiling of perishable supplies like the ₱15,000 worth of “chicharon”;
7. That the respondent Director is accountable for the alleged faulty procedure in the classification of prisoners which caused the increase of escapes; and
8. That permanent passes were issued by the respondent Director to prisoners which had never been done before by any other officials of the New Bilibid Prisons.

An investigation was conducted by Acting Assistant Solicitor General Isidro C. Borromeo, but Representative Natividad did not appear therein and instead sent two representatives to witness the proceedings. Despite the fact that no one presented evidence in support of the aforesaid charges in the privileged speech of Representative Natividad, the investigator nevertheless summoned and questioned several witnesses including the respondent to ascertain the veracity of the charges.

On the first charge, respondent admitted having issued passes to prisoners for the procurement of supplies and materials for the benefit of the Bureau of Prisons, but maintained that he did so in accordance with his discretionary powers as prison head. He cited specific cases of passes issued by some of his predecessors and other prison officials to show that it had been a long practice before he became acting Director of the Bureau of Prisons. To prove that it was within his discretion to issue passes, he cited Section 28 of the general rules regulating the conduct and duties of officers and employees promulgated on August 30, 1950, which reads as follows:

“No prisoner shall be taken outside the walls of a prison or reservation of the colony for the purpose of labor unless under pass issued by the superintendent and for employment approved by the Director. No prisoner shall be taken beyond the proclaimed boundaries of the prison or colony except for purposes and under conditions specifically authorized by the Director or Superintendent.”

Moreover, it was established that the prisoners given passes were mostly living-out prisoners, that is, those who have been enjoying minimum security risk. The records do not show that the prisoners were allowed to go out for political purposes and without adequate guards. Under the circumstances, there is no basis for finding respondent liable under this charge.

The same thing can be said of the second charge, it appearing that, according to the supply officer and the chief of the General Services Division of the Bureau of Prisons, only the Chevrolet sedan was being used by respondent because the station wagon was turned over to said division for the use of other officials and the Chrysler car was no longer in use.

As to the third charge, the amount of ₱22,000 used in the purchase of tiles for the improvement of the administration building was suggested by the chief of the General Services Division, and the Budget Officer of the Bureau of Prisons certified that said amount could not have been spent for the kitchen because the latter needs an amount of over ₱150,000. Moreover, the program for the improvement of the kitchen had already been submitted to the Office of the Undersecretary of Justice for approval.

Concerning the fourth charge, the respondent explained that the barter of ₱35,000 worth of steel mattings with a battered jeep and ten bicycles was in accordance with law and duly approved by the proper authorities. There was no detriment to the government in the transaction, as the steel mattings were owned by the Board of Liquidators and they had been lying idle in the prison grounds. Hence, their nondisposal would have been prejudicial to the government. Moreover, the appraisal was made by the Board of Liquidators. The charge is therefore without merit.

Similarly devoid of merit are the fifth and sixth charges. Evidence was presented to show that a committee is in charge of screening requests for quarters and its recommendation is submitted to the Director for approval. No evidence was presented indicating that respondent discriminated against employees in making appointments and in the allocation of quarters. As regards the stockpiling of perishable supplies like the ₱15,000 worth of “chicharon,” the records show that these foodstuffs were delivered in installments and that they were distributed to the different colonies by the foodstuff committee.

With respect to the last two charges, it was established that there are two offices classifying prisoners, namely, Reception & Diagnostic Center and the Classification Board. Each office has its own functions relative to the admission, classification and discharge of prisoners. There is no basis for holding the Director responsible for such procedure, as there are rules to be followed concerning the matter. Finally, the records fail to show that the Director, Assistant Director or Superintendent has been giving permanent passes to prisoners.

In view of the foregoing, and as recommended by the investigator, Mr. Felix Amante, Acting Director of Prisons, is hereby exonerated from the charges against him.

However, in the light of the findings of the Investigator, rules should be promulgated to limit the period of outside stay of prisoners on passes so that they would not stay outside overnight, the Reception and Diagnostic Center should have a separate and adequate building wherein the incoming prisoners could be given proper orientation before they are classified, and the practice of allowing prisoners themselves to procure materials needed by the Bureau of Prisons should be stopped.

Done in the City of Manila, this 11th day of August, in the year of Our Lord, nineteen hundred and sixty-four.

(Sgd.) DIOSDADO MACAPAGAL

By the President:
(Sgd.) CALIXTO O. ZALVIDAR
Acting Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1964). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 107

**AUTHORIZING THE PHILIPPINE AMERICAN ACCIDENT INSURANCE COMPANY, INC.
TO BECOME A SURETY UPON OFFICIAL RECOGNIZANCES, STIPULATIONS, BONDS
AND UNDERTAKINGS.**

WHEREAS, Section 1 of Act No. 536, as amended by Act No. 2206, provides that whenever any recognizance, stipulation, bond or undertaking conditioned for the faithful performance of any duty or any contract made with any public authority, national, provincial, municipal, or otherwise, or any undertaking, or for the doing or refraining from doing anything in such recognizance, stipulation, bond or undertaking specified is, by the laws of the Philippines, or by the regulations or resolutions of any public authority therein, required or permitted to be given with one surety or with two or more sureties, the execution of the same or the guaranteeing of the performance of the condition thereof shall be sufficient when executed or guaranteed solely by any corporation organized under the laws of the Philippines, having power to guarantee the fidelity of persons holding positions of public or private trust and to execute and guarantee bonds or undertakings, in judicial proceedings and to agree to the faithful performance of any contract or undertaking made with any public authority;

WHEREAS, said section further provides that no head of department, court, judge, officer, board, or body executive, legislative, or judicial shall approve or accept any corporation as surety on any recognizance, stipulation, bond, contract or undertaking, unless such corporation has been authorized to do business in the Philippines in the manner provided by the provisions of said Act No. 536, as amended, nor unless such corporation has, by contract with the Government of the Philippines, been authorized to become a surety upon official recognizances, stipulations, bonds, and undertakings; and

WHEREAS, THE PHILIPPINE AMERICAN ACCIDENT INSURANCE COMPANY, INC., is a domestic corporation organized and existing under the laws of the Republic of the Philippines and fulfills the conditions prescribed by said Act No. 536, as amended;

NOW, THEREFORE, I, DIOSDADO MACAPAGAL, President of the Philippines, by virtue of the powers vested in me by law, do hereby authorize THE PHILIPPINE AMERICAN ACCIDENT INSURANCE COMPANY, INC. to become a surety upon official recognizances, stipulations, bonds, and undertakings in such manner and under such conditions as are provided by law, subject however, to the conditions that the amount constituting the contributed surplus fund shall not at anytime be withdrawn and paid back in cash to the contributing stockholders without prior recommendation and justification by the Insurance Commissioner duly approved by the Secretary of Finance, and that the moment THE PHILIPPINE AMERICAN ACCIDENT INSURANCE COMPANY, INC., becomes indebted to any government instrumentality or political subdivision thereof, or to any government-owned or controlled corporation in the total amount of ₱50,000.00 accruing from the issuance of bonds, the same having been due and demandable, the insurance company must voluntarily desist from writing or issuing all kinds of government bonds until the outstanding liabilities in government bonds have been fully paid or settled. Non-payment of liabilities shall be a cause for immediate revocation of the Administrative Order.

Done in the City of Manila, this 14th day of August, in the year of Our Lord, nineteen hundred and sixty-four.

(Sgd.) DIOSDADO MACAPAGAL

By the President:
(Sgd.) CALIXTO O. ZALVIDAR
Acting Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1964). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 108

CONSIDERING MR. ARISTOTLE A. TUASON RESIGNED AND SEPARATED FROM OFFICE
AS MUNICIPAL JUDGE OF VIGAN, ILOCOS SUR.

These are two administrative cases (Nos. 44 and 47) against Mr. Aristotle A. Tuason, municipal judge of Vigan, Ilocos Sur. Under the first case, which involves acts of the respondent while still municipal judge of San Ildefonso, Ilocos Sur, he is charged with (1) gross ignorance of the law, (2) performance of two inconsistent positions at the same time, (3) ignorance of court procedure, (4) taking cognizance of cases involving his relatives and (5) corrupt and immoral practices. In the second case, which involves acts of the respondent as municipal judge of Vigan, he is charged with (1) gross ignorance of the law on two counts, (2) persecution, abuse of authority and vindictiveness, (3) allowing his counsel in Administrative Case No. 44 to appear before his court, (4) falsification of time record, (5) abandonment of office and (6) causing the disappearance of documents in his custody.

The charges were investigated by the District Judge of the Court of First Instance of Ilocos Sur, after respondent had unsuccessfully tried to have the charges dismissed by the investigating judge and the latter enjoined by the Supreme Court from hearing the case.

A perusal of the record shows that the charge of corrupt and immoral practices in Criminal Cases Nos. 2155, 2165, 2169, 2170 and 2020 has not been satisfactorily proved. Likewise, complainant failed to prove the charges that respondent falsified his time record for October 8, 1960, and that he caused the disappearance of the declaration of the accused in Criminal Cases Nos. 2143 and 2144.

It is also believed that the respondent did not commit unethical acts by failing to disqualify himself from certain cases filed with his court. While it is true that defendants in Criminal Cases Nos. 2191, 2192, 2228 and 2246 were related to him by affinity within the sixth degree, he did nothing more than receive the complaints, issue the corresponding warrants of arrest, set the amount of bail, approve the required bail bonds, and thereafter he disqualified himself. Although in principle respondent could have disqualified himself immediately upon receiving the complaints, his actuations cannot, however, be considered irregular or immoral, as no prejudice was caused to the offended parties in those cases. On the contrary, he rose above the feelings of kinship by giving due course to the complaints and issuing the warrants of arrest instead of suppressing the charges.

Neither is there any irregularity or illegality in respondent's failure to disqualify himself in Criminal Cases Nos. 2050, 2131, 2264 and 2267. The fact that the defendants therein were represented by Atty. Constante Pimentel, respondent's counsel in Administrative Case No. 44, is not violative of the rule on disqualification of judges found in Section 1 of Rule 137 of the Rules of Court. The relationship between the respondent and Atty. Pimentel, being neither by consanguinity nor by affinity, but merely professional, is not the kind covered in the Rules. He may have violated the canons of judicial ethics, but the same, though desirable and salutary, do not constitute legal grounds for disqualification of judges, in addition to those provided in the Rules (*Talisay Silay Milling Co. vs. Judge Teodoro*, G.R. No. L-4579, March 31, 1952).

However, as to the other charges, respondent displayed ignorance of the law when he imposed an indeterminate sentence of “two (2) months and one (1) day to three months of *arresto menor*” in Criminal Case No. R-100. It is a basic qualification of the Indeterminate Sentence Law that its provisions do not apply where the maximum penalty is less than one (1) year. He also showed lack of thoroughness in approving a guardian’s bond executed in a form for criminal bail bond. His excuse that the proper form was not then available deserves scant consideration because it could have been easily procured from Vigan, which is very near San Ildefonso, his station.

The respondent also acted erroneously in Criminal Case No. 2378 by taking into account against the accused the aggravating circumstance of superior strength, which was neither alleged in the complaint nor proved by evidence, the accused having pleaded guilty. He was also grossly ignorant of the law when he simultaneously discharged the duties of municipal judge of San Ildefonso and municipal councilor of Vigan for nine (9) months and collected his emoluments under both offices.

Likewise, respondent seriously impaired and compromised his position as municipal judge when he affixed his signature as municipal councilor of Vigan to Resolution No. 64 of the municipal council, endorsing the candidacy of a certain candidate in the 1957 presidential elections.

Finally, respondent acted maliciously in coursing through the mails his notice to the auxiliary municipal judge, complainant herein, of his intention to go on leave on July 16-18, 1961, despite the fact that both of them resided in the same place. This was done apparently to prevent the auxiliary judge from assuming the office during his absence. In this regard, respondent not only acted with spite against the auxiliary judge, his adversary in these administrative proceedings, but also prejudiced the public service for causing the office to be vacant during his three days’ leave.

Respondent’s proven mistakes and indiscretions reflect adversely on his capacity and preparedness for the important office of municipal judge warranting his separation therefrom. Wherefore, Mr. Aristotle A. Tuason is hereby considered resigned and separated as municipal judge of Vigan, Ilocos Sur, without prejudice to reinstatement in another branch of the government service.

Done in the City of Manila, this 31st day of August, in the year of Our Lord, nineteen hundred and sixty-four.

(Sgd.) DIOSDADO MACAPAGAL

By the President:

(Sgd.) JUAN S. CANCIO

Acting Assistant Executive Secretary

Source: Malacañang Records Office

Office of the President of the Philippines. (1964). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 109
CONSIDERING MR. ERNESTO P. FURAGGANAN RESIGNED AND SEPARATED
FROM OFFICE AS MUNICIPAL JUDGE OF BUGUEY, CAGAYAN

This is an administrative proceeding instituted by the District Judge of Cagayan against Mr. Ernesto P. Furagganan, municipal judge of Buguey, Cagayan, on the following charges:

(1) Undue delay in acting on Criminal Case No. 654 of his court for murder which was filed on June 11, 1956, but remained without action. This delay was brought to the attention of the District Judge in a letter dated February 16, 1961, from one of the accused, a national prisoner, stating that the records of the case had been elevated to the Court of First Instance of Cagayan and requesting that it be tried as soon as possible. Despite several inquires and directives from the District Judge, respondent neither answered the same nor acted on the case.

(2) Undue delay in forwarding the bail bonds of the accused in Criminal Cases Nos. 3335-A and 3336-A of the Court of First Instance Cagayan, whose release was ordered by the respondent on July 5, 1961, without forwarding the bail bonds. Several directives from the Court of First Instance of Cagayan for the elevation of the bail bonds were ignored by respondent and complied with only after the District Judge had ordered the detention of the accused.

Respondent submitted his explanation to the foregoing charges and testified in his defense during the formal investigation conducted by the District Judge. He claimed that he had no more jurisdiction over Criminal Case No. 654, since he had turned over the records thereof to the Provincial Fiscal who allegedly told him to keep the same until the latter could go to Buguey for the town fiesta, as the fiscal himself would investigate the case; and that he simply approved the bail bonds of the accused in Criminal Cases Nos. 3335-A and 3336-A and signed the order of release, requiring the accused to be brought the following morning to his court in Buguey, since he had to verify the solvency of the bondsman.

After investigation, the District Judge found respondent guilty as charged and recommended that he be asked to resign and if he refuses or fails to do so, that he be dismissed. The Secretary of Justice concurred in the findings of the District Judge and recommended respondent's dismissal from the service for cause.

The record shows that on February 16, 1961, a national prisoner wrote the Court of First Instance of Cagayan that the records of Criminal Case No. 654 of the Justice of the Peace Court (now Municipal Court) of Buguey had been forwarded already to the Court of First Instance of Cagayan and requested that the case be tried as soon as possible. On February 18, 1961, the court referred the letter of the prisoner to respondent and, not hearing from the latter, sent another letter on April 6, 1961, asking respondent for the status of Criminal Case No. 654.

On June 7, 1961, the Judicial Superintendent of the Department of Justice sent a telegram to the District Judge suggesting that respondent be directed to act on the criminal case against the prisoner.

The next day, the District Judge wrote respondent quoting the telegram of the Judicial Superintendent, which was received by respondent on June 13, 1961. No action having been taken by the respondent on the criminal case against the prisoner, the court prepared the necessary order of commitment for the return of the prisoner to Bilibid Prisons.

The record further shows that in Criminal Cases Nos. 3335-A and 3336-A of the Court of First Instance of Cagayan three (3) persons were arrested by PC soldiers pursuant to the warrants of arrest issued by the court. In said warrants the municipal judge of the place where the accused could be found was authorized to qualify the sureties in the bail bonds that the accused intended to file and to discharge the accused once the bail bonds were approved, but the bail bonds must be forwarded to the court. On July 5, 1961, respondent ordered the release of the three accused, but the bail bonds were not forwarded to the court; so the court sent a telegram asking respondent to forward the bail bonds to it. Respondent ignored the telegram, for which reason the court sent another letter asking him to send over the bail bonds of the defendants. Despite the letter, the bail bonds were not forwarded to the court. On July 29, 1961, the accused appeared for arraignment and the District Judge ordered their detention until their bail bonds were submitted to the court. Only then did respondent forward their bail bonds.

Respondent does not deny that he had not acted on Criminal Case No. 654 from the time of its filing with his court on June 11, 1956, although he claims that he has no jurisdiction thereon after the records had been sent to the Provincial Fiscal. If respondent had actually forwarded the case to the Provincial Fiscal, he would have done so in a formal communication, stating the basis of his action in accordance with the usual procedure. There is no written proof of the alleged delivery of the records to the Provincial Fiscal. It is apparent that while respondent had the records he never acted thereon. He did not even enter said Criminal Case No. 654 in his criminal docket. In other words, respondent sat on the case for more than five (5) years and, having received inquiries from the District Judge, he did not even care to answer the same. He is clearly responsible for the long delay of more than five (5) years suffered by the case in his court with the consequent serious prejudice to the parties and the administration of justice.

Wherefore, the judgment is revoked, and the Government Service Insurance System is absolved from Nicdao's claims. So ordered.

Likewise, respondent unnecessarily delayed the forwarding to the Court of First Instance of Cagayan of the bail bonds of the accused in Criminal Cases Nos. 3335-A and 3336-A of that Court, after he had signed the order of release. His explanation that he signed the order of release before he verified the solvency of the bondsman is, in itself, evidence of dereliction of duty. He should have first verified the sufficiency of the bail bond, since he very well knew that with his signing of the order of release the accused would be set free. His failure and/or refusal to elevate the bail bonds in accordance with the terms of the warrant of arrest and the several directives of the District Judge cannot be justified. As a matter of fact, respondent forwarded the bail bonds only after the District Judge had ordered the detention of the accused.

In unduly delaying the disposition of Criminal Case No. 654 and the elevation of the bail bonds of the accused in Criminal Cases No. 3335-A and 3336-A, respondent committed a rank violation of the sixth canon of judicial ethics that "he should be prompt in disposing of all matters submitted to him, remembering that justice delayed is often justice denied" (Adm. Or. No. 162, Dept. of Justice, dated Aug. 1, 1946) and deprived the accused of his constitutional right to a speedy trial (Sec. 1/17), Art. III, Const.; Sec. 1/h, Rule 115, and Sec. 2, Rule 119, Rules of Court). Moreover, the undue delay on his part in elevating the bail bonds in accordance with the terms of the warrant of arrest constituted contumacious defiance of the lawful process of a superior court (Sec. 3, Rule 71, Rules of Court).

Finally, in deliberately ignoring the several inquiries and directives of the District Judge, he committed gross insubordination and discourtesy to one having supervisory authority over him (Secs. 96 and 97, Rep. Act No. 296 as amended).

The investigating Judge also found that on several occasions respondent absented himself from office without leave for considerable periods of time, to the great prejudice of the service. Thus, after going on vacation leave from May 29 to June 10, 1959, he did not return to duty until September 1959, absenting himself without leave although requested to report immediately for duty. He was also absent without leave after going on vacation leave from November 21 to December 28, 1960, and from December 19, 1961, to January 22, 1962.

Respondent's acts and behavior show that he was sadly remiss in the performance of his duties and that he lacks that sense of responsibility which a public officer, particularly a judge, should have. Sufficient grounds therefore exist for separating him from the service.

Wherefore, Mr. Ernesto P. Furagganan is hereby considered resigned and separated from office as Municipal Judge of Buguey, Cagayan.

Done in the City of Manila, this 14th day of September, in the year of Our Lord, nineteen hundred and sixty-four.

DIOSDADO MACAPAGAL
President of the Philippines

By the President:

JUAN S. CANCIO

Acting Assistant Executive Secretary

Source: **Presidential Museum and Library**

Macapagal, D. (1964). Administrative Order No. 109: Considering Mr. Ernesto P. Furagganan resigned and separated from office as Municipal Judge of Buguey, Cagayan. *Official Gazette of the Republic of the Philippines*, 60(40), 6356-6359.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 110

MODIFYING ADMINISTRATIVE ORDER NO. 123 DATED JUNE 22, 1955, CONCERNING
MR. PABLO S. DE JOYA, FORMER JUSTICE OF THE PEACE OF PINAMALAYAN
AND BONGABONG, ORIENTAL MINDORO, BY CONSIDERING HIS SEPARATION
AS WITHOUT PREJUDICE TO HIS REINSTATEMENT IN THE PUBLIC SERVICE
AT THE INITIATIVE OF THE APPOINTING AUTHORITY.

Under Administrative Order No. 123 dated June 22, 1955, Mr. Pablo S. de Joya was required to resign as Justice of the Peace of Pinamalayan and Bongabong, Oriental Mindoro, for abuse of authority and partiality. He has requested the reconsideration of the decision in his case insisting on his innocence. The grounds relied upon by him appear to have been already considered before and this Office finds no sufficient justification for modifying the decision on the merits.

However, considering the period of time that has elapsed since respondent's separation from the service, it is believed that the decision may now be modified insofar as his removal constitutes a bar to his reinstatement in the public service.

Wherefore, Administrative Order No. 123 dated June 22, 1955, is hereby modified in the sense that Mr. Pablo S. de Joya's separation shall be without prejudice to his reinstatement in the public service at the initiative of the appointing authority.

Done in the City of Manila, this 17th day of September, in the year of Our Lord, nineteen hundred and sixty-four.

(Sgd.) DIOSDADO MACAPAGAL

By the President:

(Sgd.) JUAN S. CANCIO

Acting Assistant Executive Secretary

Source: Malacañang Records Office

Office of the President of the Philippines. (1964). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 111

**AUTHORIZING THE MAHARLIKA INSURANCE COMPANY, INC. TO BECOME A SURETY
UPON OFFICIAL RECOGNIZANCES, STIPULATIONS, BONDS AND UNDERTAKINGS.**

WHEREAS, Section 1 of Act No. 536, as amended by Act 2206, provides that whenever any recognizance, stipulation, bond or undertaking conditioned for the faithful performance of any duty or of any contract made with any public authority, national, provincial, municipal or otherwise or of any undertaking or for doing or refraining from doing anything in such recognizance, stipulation, bond or undertaking specified is, by the laws of the Philippines or by the regulations or resolutions of any public authority therein, required or permitted to be given with one surety or with two or more sureties, the execution of the same or the guaranteeing of the performance of the condition thereof shall be sufficient when executed or guaranteed solely by any corporation organized under the laws of the Philippines, having power to guarantee the fidelity of persons holding positions of public or private trust and to execute and guarantee bonds or undertakings in judicial proceedings and to agree to the faithful performance of any contract or undertaking made with any public authority;

WHEREAS, said section further provides that no head of department, judge, officer, board or body, whether executive, legislative, or judicial shall approve or accept any corporation as surety on any recognizance, stipulation, bond, contract or undertaking unless such corporation has been authorized to do business in the Philippines in accordance with the provisions of said Act No. 536, as amended, nor unless such corporation has, by contract with the Government of the Philippines, been authorized to become a surety upon official recognizances, stipulations, bonds and undertakings; and

WHEREAS, THE MAHARLIKA INSURANCE COMPANY, INC. is a domestic corporation organized and existing under the laws of the Republic of the Philippines and fulfills the conditions prescribed by said Act No. 36, as amended,

NOW, THEREFORE, I, DIOSDADO MACAPAGAL, President of the Philippines, by virtue of the powers vested in me by law, do hereby authorize the MAHARLIKA INSURANCE COMPANY, INC. to become a surety upon official recognizances, stipulations, bonds and undertakings in such manner and under such conditions as are provided by law, subject however to the condition that the amount constituting the contributed surplus fund shall not at anytime be withdrawn and paid back in cash to the contributing stockholders without prior recommendation and justification by the Insurance Commissioner duly approved by the Secretary of Finance, and provided further, that the moment the MAHARLIKA INSURANCE COMPANY, INC., becomes indebted to any government instrumentality or political subdivision thereof, or to any government-owned or controlled corporation in the total amount of ₱50,000.00 accruing from the issuance of bonds, the same having become due and demandable, the insurance company must voluntarily desist from writing or issuing all kinds of government bonds until the outstanding liabilities in government bond shall have been fully paid or settled. Non-payment of liabilities shall be a cause for the immediate revocation of the Administrative Order.

Done in the City of Manila, this 2nd day of November, in the year of Our Lord, nineteen hundred and sixty-four.

(Sgd.) DIOSDADO MACAPAGAL

By the President:
(Sgd.) JUAN S. CANCIO
Acting Assistant Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1964). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 112

**AUTHORIZING THE FIRST INTEGRATED BONDING & INSURANCE COMPANY, INC.
TO BECOME A SURETY UPON OFFICIAL RECOGNIZANCES, STIPULATIONS, BONDS
AND UNDERTAKINGS.**

WHEREAS, Section 1 of Act No. 536, as amended by Act No. 2206, provides that whenever any recognizance, stipulation, bond or undertaking conditioned for the faithful performance of any duty or of any contract made with any public authority, national, provincial, municipal, or otherwise, or of any undertaking, or for the doing or refraining from doing anything in such recognizance, stipulation, bond or undertaking specified, is, by the laws of the Philippines, required or permitted to be given with one surety or with two or more sureties, the execution of the same or the guaranteeing of the performance of the condition thereof shall be sufficient when executed or guaranteed solely by any corporation organized under the laws of the Philippines, having power to guarantee the fidelity of persons holding positions of public or private trust and to execute and guarantee bonds or undertakings in judicial proceedings and to agree to the faithful performance of any contract or undertaking made with any public authority;

WHEREAS, said section further provides that no head of department, court, judge, officer, board or body, executive, legislative or judicial shall approve or accept any corporation as surety on any recognizance, stipulation, bond contract, or undertaking, unless such corporation has been authorized to do business in the Philippines in the manner provided by the provisions of said Act No. 536, as amended, nor unless such corporation has, by contract with the Government of the Philippines, been authorized to become a surety upon official recognizances, stipulations, bonds and undertakings; and

WHEREAS, FIRST INTEGRATED BONDING & INSURANCE COMPANY, INC. is a domestic corporation organized and existing under the laws of the Republic of the Philippines and fulfills the conditions prescribed by said Act No. 536, as amended,

NOW, THEREFORE, I, DIOSDADO MACAPAGAL, President of the Philippines, by virtue of the powers vested in me by law, do hereby authorize the FIRST INTEGRATED BONDING & INSURANCE COMPANY, INC. to become a surety upon official recognizances, stipulations, bonds and undertakings, in such manner and under such conditions as are provided by law, subject to the conditions that the amount constituting the contributed surplus fund shall not, at any time, be withdrawn and paid back in cash to the contributing stockholders without prior recommendation and justification by the Insurance Commissioner, duly approved by the Secretary of Finance and provided further, that the moment FIRST INTEGRATED BONDING & INSURANCE COMPANY, INC. becomes indebted to any government instrumentality or political subdivision thereof, or to any government-owned or controlled corporation in the total amount of ₱50,000.00 accruing from the issuance of bonds, the same having become due and demandable, the issuance company must voluntarily desist from writing or issuing all kinds of government bonds until the outstanding liabilities in government bonds shall have been fully paid or settled. Non-payment of liabilities shall be a cause for the immediate revocation of the Administrative Order.

Done in the City of Manila, this 24th day of November, in the year of Our Lord, nineteen hundred and sixty-four.

(Sgd.) DIOSDADO MACAPAGAL

By the President:
(Sgd.) JUAN S. CANCIO
Acting Assistant Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1964). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 113
AUTHORIZING THE SOLID GUARANTY INC., TO BECOME A SURETY UPON OFFICIAL
RECOGNIZANCES, STIPULATIONS, BONDS, AND UNDERTAKINGS.

WHEREAS, Section 1 of Act No. 536, as amended by Act No. 2206, provides that whenever any recognizance, stipulation, bond, or undertaking conditioned for the faithful performance of any duty or of any contract made with any public authority, national, provincial, municipal, or otherwise, or of any undertaking or for the doing or refraining from doing anything in such recognizance, stipulation, bond, or undertaking specified is, by the laws of the Philippines or by the regulations or resolutions of any public authority therein, required or permitted to be given with one surety or with two or more sureties, the execution of the same or the guaranteeing of the performance of the condition thereof shall be sufficient when executed or guaranteed solely by any corporation organized under the laws of the Philippines, having power to guarantee the fidelity of persons holding positions of public or private trust and to execute and guarantee bonds or undertakings in judicial proceedings and to agree to the faithful performance of any contract or undertaking made with any public authority;

WHEREAS, said section further provides that no head of department, judge, officer, board or body, whether executive, legislative, or judicial, shall approve or accept any corporation as surety on any recognizance, stipulation, bond, contract, or undertaking unless such corporation has been authorized to do business in the Philippines in accordance with the provisions of said Act No. 536, as amended, nor unless such corporation has, by contract with the Government of the Philippines, been authorized to become a surety upon official recognizances, stipulations, bonds, and undertakings; and

WHEREAS, THE SOLID GUARANTY INC. is a domestic corporation organized and existing under the laws of the Republic of the Philippines and fulfills the conditions prescribed by said Act No. 536, as amended,

NOW, THEREFORE, I, DIOSDADO MACAPAGAL, President of the Philippines, by virtue of the powers vested in me by law, do hereby authorize THE SOLID GUARANTY INC. to become a surety upon official recognizances, stipulations, bonds, and undertakings in such manner as under such conditions as are provided by law, subject however to the conditions that the amount constituting the contributed surplus fund shall not at anytime be withdrawn and paid back in cash to the contributing stockholders without prior recommendation and justification by the Insurance Commissioner duly approved by the Secretary of Finance, and provided further, that the moment THE SOLID GUARANTY INC. becomes indebted to any government instrumentality or political subdivision thereof, or to any government-owned or controlled corporation in the total amount of ₱50,000.00 accruing from the issuance of bonds, the same having become due and demandable, the issuance company must voluntarily desist from writing or issuing all kinds of government bonds until the outstanding liabilities in government bond shall have been fully paid or settled. Non-payment of liabilities shall be a cause for the immediate revocation of the Administrative Order.

Done in the City of Manila, this 24th of November, in the year of Our Lord, nineteen hundred and sixty-four.

(Sgd.) DIOSDADO MACAPAGAL

By the President:
(Sgd.) JUAN S. CANCIO
Acting Assistant Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1964). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 114

AMENDING ADMINISTRATIVE ORDER NO. 88 DATED FEBRUARY 5, 1964, ENTITLED
“CREATING A MUSLIM PILGRIMAGE COMMITTEE AND REVOKING ADMINISTRATIVE
ORDER NO. 318 DATED FEBRUARY 16, 1960.”

The composition of the Committee created under Administrative Order No. 88 dated February 5, 1964, is hereby amended to read as follows:

“1. Secretary of Justice Salvador L. Mariño	Chairman
2. Executive Secretary Eamon A. Diaz	Member
3. Secretary of National Defense Macario Peralta Jr.	Member
4. Secretary of General Services Duma Sinsuat	Member
5. Congressman Salih Ututalum	Member
6. Acting Commissioner of Customs Alberto de Joya	Member
7. Minister Juan G. Dionisio	Member
8. Undersecretary for Health and Medical Services	
Clemente S. Gatmaitan	Member
9. Director General Armand Fabella	Member
10. Commissioner on National Integration Abraham Rasul	Member”

Done in the City of Manila, this 4th day of February, in the year of Our Lord, nineteen hundred and sixty-five.

(Sgd.) DIOSDADO MACAPAGAL

By the President:
(Sgd.) RAMON A. DIAZ
Executive Secretary

Source: Malacañang Records Office

Office of the President of the Philippines. (1965). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 115
DROPPING THE MATTER OF THE ALLEGED INVOLVEMENT OF SECRETARY
OF NATIONAL DEFENSE MACARIO PERALTA JR. IN SMUGGLING.

In view of newspaper reports implicating Secretary of National Defense Macario Peralta Jr. in smuggling activities and upon his own request for an investigation to prove his innocence, a presidential investigating committee was constituted composed of retired Justices Alex Reyes, as chairman, and Jose Gutierrez David and Gustavo Victoriano, as members, to conduct an inquiry into the matter.

The reports linking Secretary Peralta with smuggling being press accounts of statements made by Senate President Ferdinand Marcos on the floor of the Senate and elsewhere, as well as press versions of testimony given before the Senate Blue Ribbon Committee then looking into smuggling activities, the investigating committee, in furtherance of an orderly investigation and so as to concretize the accusation against Secretary Peralta, asked Senate President Marcos to formulate his charges and substantiate them at the hearing.

However, the Senate President declined the request, claiming, among other things, that as the legislative department was already conducting an investigation of the anomalies, it would be a breach of the rules of propriety and the principles of separation of powers and equality of departments of government and a waste of time, energy and government funds for another department to conduct an investigation simultaneously without awaiting the result of the investigation of the other department; that Secretary Peralta having submitted himself to the jurisdiction of the Blue Ribbon Committee by appearing before it, cross-examining the witnesses and reserving the right to present his own evidence, the President was “estopped from pulling away from the jurisdiction of the Blue Ribbon Committee the investigation of the smuggling activities” in which Secretary Peralta “may have connections”; and that he had requested the chairman of the Blue Ribbon Committee to immediately transmit to the investigating committee its findings after the investigation had been terminated.

Upon reference of the matter to my office for instructions, the investigating committee was directed to go ahead with the investigation, as the mere fact that one was being conducted by the Senate Blue Ribbon Committee did not preclude the President from conducting his own separate inquiry into the alleged involvement of Secretary Peralta in smuggling activities as aired by the Senate President on the floor of the Senate, the purpose of the Senate investigation being to gather facts about smuggling activities for the formulation of remedial legislation, while that of the investigation directed by the President was to determine “the guilt or innocence of Secretary Peralta with the end in view of guiding the President in deciding whether or not to retain said official in his present capacity.”

Being itself of the opinion that the investigation by the Blue Ribbon Committee of the Senate did not preclude the President from ordering his own investigation of charges hurled against a member of his Cabinet so that he could determine the fitness of said member to remain in office, the investigating committee reiterated its request for Senate President Marcos to formulate his charges before it. However, the Senate President, through his assistants, informed the committee, first, that he could not

attend the hearing because he was sick in the hospital and, later, reiterated his former position stated at the outset.

With this impasse the investigating committee, believing that it could not properly proceed without the participation of the accuser, considered it futile to go any further in the discharge of its commission which it deemed terminated. Observed the committee:

“We rather think that for an investigation for such purpose to have a satisfactory result, an ex-parte inquiry without the participation of the accuser would not suffice. For whatever may be found through such mode of inquiry, in the end, if there is to be a finding of guilt or innocence, there must be a formal hearing of specific charges preferred, the answer thereto, and the proof in support of both to satisfy the requirements of due process. In that way, no one may thereafter complain that his accusation or defense has not been fully looked into or that all his witnesses have not been heard or all his proof considered. It is for this reason that from the beginning we asked Senate President Marcos to formulate his charges against Secretary Peralta and substantiate them at the hearing. As he has declined to do so and made clear his determination not to take part in the investigation we propose to conduct, we have to inform Your Excellency, much to our regret, that it would be futile for us to go any further in the discharge of the commission with which you have honored us and which, as far as the Peralta case is concerned, must now be deemed terminated.”

In the light of the foregoing, the matter concerning the alleged involvement of Secretary of National Defense Macario Peralta Jr. in smuggling is hereby dropped.

Done in the City of Manila, this 22nd day of February, in the year of Our Lord, nineteen hundred and sixty-five.

(Sgd.) DIOSDADO MACAPAGAL

By the President:

(Sgd.) RAMON A. DIAZ

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1965). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 116

CLASSIFYING DIPLOMATIC MISSIONS IN THE PHILIPPINE FOREIGN SERVICE INTO THREE CATEGORIES AND PROVIDING REGULATIONS IN IMPLEMENTATION OF SECTION 1, PART C, TITLE II OF REPUBLIC ACT NO. 708, AS AMENDED BY REPUBLIC ACT NO. 4112.

WHEREAS, Section 1, Part C, Title II of Republic Act No. 708, as amended by Republic Act No. 4112, approved on June 20, 1964, provides that the President shall classify into three classes the posts to be occupied by Chiefs of Missions, on the basis of the importance of such posts and for salary purposes;

WHEREAS, there is need to provide regulations for the purpose of implementing the recently enacted statute aforementioned; and

WHEREAS, the Foreign Service of the Philippines is being gradually expanded to the extent that thirty-six (36) diplomatic missions are authorized in the General Appropriations Act for the Fiscal Year 1965 in comparison to only eleven (11) in 1952;

NOW, THEREFORE, I, DIOSDADO MACAPAGAL, President of the Philippines, by virtue of the authority vested in me by law, do hereby classify the diplomatic posts in the Philippine Foreign Service as provided hereunder, and prescribe the following regulations in relation thereto:

1. Diplomatic missions of the Philippines are hereby classified under the following three categories:

(a) Diplomatic Missions, Class I:

- (i) The Philippine Embassy in Washington, D.C., U.S.A.,
- (ii) The Philippine Mission to the United Nations in New York, U.S.A.,
- (iii) The Philippine Embassy in Tokyo, Japan,
- (iv) The Philippine Embassy in Bangkok, Thailand,
- (v) The Philippine Embassy in Djakarta, Indonesia,
- (vi) The Philippine Embassy in London, United Kingdom,
- (vii) The Philippine Embassy in Bonn, West Germany,
- (viii) The Philippine Embassy in Paris, France, and
- (ix) The Philippine Embassy in Madrid, Spain.

(b) Diplomatic Missions, Class II:

- (i) The Philippine Embassy in The Hague, Netherlands,
- (ii) The Philippine Embassy in Rome, Italy,
- (iii) The Philippine Embassy to the Holy See, Vatican City,
- (iv) The Philippine Embassy in Taipeh, China,

- (v) The Philippine Embassy in New Delhi, India,
- (vi) The Philippine Embassy in Canberra, Australia,
- (vii) The Philippine Mission to the European Offices of the United Nations in Geneva, Switzerland,
- (viii) The Philippine Embassy in Brussels, Belgium,
- (ix) The Philippine Embassy in Saigon, South Vietnam,
- (x) The Philippine Embassy in Kuala Lumpur, Malaysia,
- (xi) The Philippine Embassy in Karachi, Pakistan,
- (xii) The Philippine Embassy in Berne, Switzerland, and
- (xiii) The Philippine Embassy in Mexico City, Mexico.

(c) Diplomatic Missions, Class III:

- (i) The Philippine Embassy in Seoul, South Korea,
- (ii) The Philippine Embassy in Rangoon, Burma,
- (iii) The Philippine Embassy in Buenos Aires, Argentina,
- (iv) The Philippine Embassy in Cairo, United Arab Republic,
- (v) The Philippine Embassy in Tel Aviv, Israel,
- (vi) The Philippine Embassy in Phnom Penh, Cambodia,
- (vii) The Philippine Embassy in Colombo, Ceylon,
- (viii) The Philippine Embassy in Lagos, Nigeria,
- (ix) The Philippine Embassy in Vientianne, Laos,
- (x) The Philippine Embassy in Ottawa, Canada,
- (xi) The Philippine Embassy in Stockholm, Sweden,
- (xii) The Philippine Embassy in Lisbon, Portugal,
- (xiii) The Philippine Embassy in Brasilia, Brazil, and
- (xiv) The Philippine Embassy in Tananarive, Malagasy (Madagascar)

2. Subject to the provisions of paragraphs 4, 5 and 6 hereof, Chiefs of Mission who are commissioned to perform the functions of a principal officer and head of a diplomatic mission shall be assigned to commensurate posts as follows:

<u>Positions</u>	<u>Post</u>
Chief of Mission, Class I	to Diplomatic Mission, Class I
Chief of Mission, Class II	to Diplomatic Mission, Class II
Chief of Mission, Class III	to Diplomatic Mission, Class III

3. For purposes of this Order, the Home Office of the Department of Foreign Affairs is hereby considered a diplomatic post and any Chief of Mission may be detailed or assigned thereto to occupy the position of Secretary of Foreign Affairs or Undersecretary of Foreign Affairs in the absence of permanently appointed incumbents of the said positions. Any Chief of Mission may also be detailed or assigned to the Home Office to head any of the principal Offices or Divisions therein of comparable importance.

4. For budgetary purposes, all positions of Chief of Mission from Class I to Class III shall be grouped in a pool, and not distributed to the specific diplomatic missions as was done heretofore. Incumbents of positions of Chief of Mission shall be assigned by the Secretary of Foreign Affairs to the different diplomatic missions and to the Home Office as herein provided.

5. A Chief of Mission assuming the functions of a principal officer of a diplomatic mission of a lower category than his actual rank shall not thereby suffer any diminution in his basic salary, and to this end an excess of salary shall be provided for him while he remains in that assignment.

6. A Chief of Mission who may be assigned as principal officer of a diplomatic mission of a higher category than his present rank may, subject to the availability of funds and upon the express authority of the President on prior recommendation of the Secretary of Foreign Affairs, be paid the difference in salary corresponding to the classification of the post, the said difference to be charged against any savings in appropriations for personnel services of the Department of Foreign Affairs. The differential pay shall begin to accrue from the date of his arrival at the post and shall cease upon his relief or recall therefrom.

7. The Secretary of Foreign Affairs is hereby authorized to promulgate such supplementary rules or instructions as may be necessary to carry out the provisions of this Order.

8. This Administrative Order shall take effect upon its promulgation.

Done in the City of Manila, this 20th day of March, in the year of Our Lord, nineteen hundred and sixty-five.

(Sgd.) DIOSDADO MACAPAGAL

By the President:

(Sgd.) RAMON A. DIAZ

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1965). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 117

FURTHER AMENDING ADMINISTRATIVE ORDER NO. 88 DATED FEBRUARY 5, 1964,
ENTITLED "CREATING A MUSLIM PILGRIMAGE COMMITTEE AND REVOKING
ADMINISTRATIVE ORDER NO. 318 DATED FEBRUARY 16, 1960."

The imposition of the Committee created under Administrative Order No. 88 dated February 5, 1964, is hereby amended to read as follows:

- | | |
|---|----------|
| "1. Secretary of Justice Salvador L. Mariño | Chairman |
| 2. Executive Secretary Ramon A. Diaz | Member |
| 3. Secretary of National Defense Macario Peralta Jr. | Member |
| 4. Secretary of General Services Duma Sinsuat | Member |
| 5. Congressman Salih Ututalum | Member |
| 6. Acting Commissioner of Customs Alberto de Joya | Member |
| 7. Minister Alberto L. Katigbak | Member |
| 8. Undersecretary for Health and Medical Services Clemente S. Gatmaitan | Member |
| 9. Director General Armand Fabella | Member |
| 10. Commissioner on National Integration Abraham Rasul | Member" |

Done in the City of Manila, this 20th day of March, in the year of Our Lord, nineteen hundred and sixty-five.

(Sgd.) DIOSDADO MACAPAGAL

By the President:

(Sgd.) RAMON A. DIAZ

Executive Secretary

Source: Malacañang Records Office

Office of the President of the Philippines. (1965). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 118

**AUTHORIZING THE RICO GENERAL INSURANCE CORPORATION TO BECOME A SURETY
UPON OFFICIAL RECOGNIZANCES, STIPULATIONS, BONDS AND UNDERTAKINGS.**

WHEREAS, Section 1 of Act No. 536, as amended by Act 2206, provides that whenever any recognizance, stipulation, bond or undertaking conditioned for the faithful performance of any duty or of any contract made with any public authority, national, provincial, municipal or otherwise or of any undertaking or for doing or refraining from doing anything in such recognizance, stipulation, bond or undertaking specified is, by the laws of the Philippines or by the regulations or resolutions of any public authority therein, required or permitted to be given with one surety or with two or more sureties, the execution of the same or the guaranteeing of the performance of the condition thereof shall be sufficient when executed or guaranteed solely by any corporation organized under the laws of the Philippines, having power to guarantee the fidelity of persons holding positions of public or private trust and to execute and guarantee bonds or undertakings in judicial proceedings and to agree to the faithful performance of any contract or undertaking made with any public authority;

WHEREAS, said section further provides that no head of department, judge, officer, board or body, whether executive, legislative, or judicial, shall approve or accept any corporation as surety on any recognizance, stipulation, bond, contract or undertaking unless such corporation has been authorized to do business in the Philippines in accordance with the provisions of said Act No. 536, as amended, nor unless such corporation has by contract with the Government of the Philippines, been authorized to become a surety upon official recognizances, stipulations, bonds and undertakings; and

WHEREAS, THE RICO GENERAL INSURANCE CORPORATION is a domestic corporation organized and existing under the laws of the Republic of the Philippines and fulfills the conditions prescribed by said Act No. 536, as amended;

NOW, THEREFORE, I, DIOSDADO MACAPAGAL, President of the Philippines, by virtue of the powers vested in me by law, do hereby authorize THE RICO GENERAL INSURANCE CORPORATION to become a surety upon official recognizances, stipulations, bonds and undertakings in such manner and under such conditions as are provided by law, subject, however, to the conditions that the amount constituting the contributed surplus fund shall not at anytime be withdrawn and paid back in cash to the contributing stockholders without prior recommendation and justification by the Insurance Commissioner duly approved by the Secretary of Finance, and provided further, that the moment RICO GENERAL INSURANCE CORPORATION becomes indebted to any government-owned or controlled corporation in the total amount of ₱50,000.00 accruing from the issuance of bonds, the same having been due and demandable, the insurance company must voluntarily desist from writing or issuing all kinds of government bonds until the outstanding liabilities in government bonds have been fully paid or settled. Non-payment of liabilities shall be a cause for the immediate revocation of the Administrative Order.

Done in the City of Manila, this 4th day of April, in the year of Our Lord, nineteen hundred and sixty-five.

(Sgd.) DIOSDADO MACAPAGAL

By the President:
(Sgd.) RAMON A. DIAZ
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1965). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 119
AUTHORIZING THE TRAVELLERS MULTI-INDEMNITY CORPORATION
TO BECOME A SURETY UPON OFFICIAL RECOGNIZANCES, STIPULATIONS,
BONDS AND UNDERTAKINGS.

WHEREAS, Section I of Act No. 536, as amended by Act No. 2206, provides that whenever any recognizance, stipulation, bond or undertaking conditioned for the faithful performance of any duty or of any contract made with any public authority, national, provincial, municipal or otherwise, or of any undertaking or for doing or for doing or refraining from doing any thing in such recognizance, stipulation, bond or undertaking specified is, by the laws of the Philippines or by the regulations or resolutions of any public authority therein, required or permitted to be given with one surety or with two or more sureties, the execution of the same or the guaranteeing of the performance of the condition thereof shall be sufficient when executed or guaranteed solely by any corporation organized under the laws of the Philippines, having power to guarantee the fidelity of persons holding positions of public or private trust and to execute and guarantee bonds or undertakings in judicial proceedings and to agree to the faithful performance of any contract or undertaking made with any public authority;

WHEREAS, said section further provides that no head of department, judge, officer, board or body, whether executive, legislative, or judicial, shall approve or accept any corporation as surety on any recognizance, stipulation, bond, contract or undertaking unless such corporation has been authorized to do business in the Philippines in accordance with the provisions of said Act No. 536, as amended, nor unless such corporation has, by contract with the Government of the Philippines, been authorized to become a surety upon official recognizances, stipulations, bonds and undertakings; and

WHEREAS, THE TRAVELLERS MULTI-INDEMNITY CORPORATION is a domestic corporation organized and existing under the laws of the Republic of the Philippines and fulfills the conditions prescribed by said Act No. 536, as amended;

NOW, THEREFORE, I, DIOSDADO MACAPAGAL, President of the Philippines, by virtue of the powers vested in me by law, do hereby authorize the TRAVELLERS MULTI-INDEMNITY CORPORATION to become a surety upon official recognizances, stipulations, bonds and undertakings in such manner and under such conditions as are provided by law, subject to the condition that the amount constituting the contributed surplus fund shall not at anytime be withdrawn and paid back in cash to the contributing stockholders without prior recommendation and justification by the Insurance Commissioner duly approved by the Secretary of Finance, and provided, further, that the moment THE TRAVELLERS MULTI-INDEMNITY CORPORATION becomes indebted to any government-owned or controlled corporation in the total amount of ₱50,000.00 accruing from the issuance of bonds, the same having been due and demandable, the insurance company must voluntarily desist from writing all kinds of bonds until the outstanding liabilities in government bonds have been fully paid or settled. Non-payment of liabilities shall be a cause for the immediate revocation of the Administrative Order.

Done in the City of Manila, this 4th day of April, in the year of Our Lord, nineteen hundred and sixty-five.

(Sgd.) DIOSDADO MACAPAGAL

By the President:
(Sgd.) RAMON A. DIAZ
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1965). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 120
REMOVING MR. MANUEL M. IMBAO FROM OFFICE AS MUNICIPAL JUDGE
OF MANDALUYONG, RIZAL.

This is an administrative proceeding for dereliction of duty instituted by the Executive Judge of the Court of First Instance of Rizal against Mr. Manuel M. Imbao, municipal judge of Mandaluyong, Rizal, following the latter's indictment for robbery in Criminal Case No. 11309 of the Court of First Instance of Rizal, entitled "People of the Philippines vs. Manuel M. Imbao, et al." This administrative charge for dereliction of duty adopts the allegations of the criminal information for robbery which reads:

"That on or about the 14th day of March, 1962, in the municipality of Mandaluyong, province of Rizal, Philippines and within the jurisdiction of this Honorable Court, the accused Manuel M. Imbao and Rafael J. Candelaria, being then the Justice of the Peace of Mandaluyong, Rizal, and Police Lieutenant acting as prosecutor, respectively, conspiring and confederating together and mutually helping one another, with intent of gain and by means of threats and intimidation, that is, by threatening one Roque G. Ma. Gonzales, father of Francisco Gonzales complainant in Criminal Case No. 5611, entitled People vs. Manolo Suarez for slight physical injuries, docketed with the Justice of the Peace Court of Mandaluyong, Rizal, to the effect that should he not give the sum of ₱300.00, the accused would change the decision of conviction in said Criminal Case No. 5611, which he had already prepared and which he has set for promulgation on March 24, 1962 by acquitting the said accused Manolo Suarez should he not give the amount of ₱300.00, and in pursuance of said threats and intimidation, did then and there willfully, unlawfully and feloniously demand the sum of ₱300.00, and the offended party, Roque G. Ma. Gonzales, out of fear, gave the accused the sum of ₱300.00, against his will and consent, to the damage and prejudice of the said Roque G. Ma. Gonzales in the aforementioned amount of ₱300.00."

Respondent and his coaccused Candelaria were convicted by the Court of First Instance of Rizal of robbery and sentenced accordingly. On appeal to the Court of Appeals, the appellate court acquitted the accused of the crime of robbery on the ground that the prosecution failed to prove beyond reasonable doubt the existence of the qualifying element of intimidation, without prejudice, however, to the filing of another information charging the proper offense (bribery).

In this administrative case respondent filed his answer denying the charge of dereliction of duty and alleging affirmative and special defenses. Upon his conviction by the trial court in the criminal case, respondent was preventively suspended by the Executive Judge on July 23, 1962. At the formal investigation of the administrative complaint, the government and respondent agreed to submit the

case on the basis of the evidence adduced in the trial of the criminal case, including the information and the trial court's decision. After going over the evidence, the Executive Judge made his own finding in the administrative case and found—

“ . . . that respondent had received the sum of ₱300.00 from the father of Francisco Gonzales, complainant in Criminal Case No. 5611 entitled *People of the Philippines vs. Manolo Suarez* for slight physical injuries and which was docketed in the office of the respondent Justice of the Peace of Mandaluyong as Criminal Case No. 5611 by reason of a request made to that effect by the respondent, and as a consequence thereof he did not change his decision convicting Manolo Suarez which he intimated that he would change into an acquittal unless the money was given to him. The Court therefore is of the opinion that respondent had committed a dereliction of duty, that is, asking money from the father of a party, namely, Francisco Gonzales, who is the offended party in Criminal Case No. 5611.”

The Executive Judge, therefore, recommends respondent's dismissal from the service. The Secretary of Justice concurs in the findings and recommendation of the Executive Judge.

A perusal of the record shows that Criminal Case No. 5611 was filed in respondent's court in Mandaluyong, Rizal, against Roberto Eusebio and Manuel Suarez for slight physical injuries inflicted on Francisco Gonzales, son of Roque G. Ma. Gonzales; that Eusebio was acquitted and the case was continued against Suarez; that on March 14, 1962, while the case against Suarez was pending decision, Roque Gonzales was informed by Candelaria, the police prosecutor in the case, that a decision against Suarez had already been prepared, but that he had to give ₱300 to the respondent; and that Gonzales, after contacting the National Bureau of Investigation, went to respondent's office in the afternoon of said day and, upon respondent's arrival, shook hands with him, saying that he had the money and would like a copy of the decision.

The evidence also shows that at that time the NBI agents were also in respondent's office pretending to be waiting to transact official business with the respondent, but actually to effect the prearranged entrapment; that respondent then called his clerk to get a folder from which he took a copy of the decision and handed it to Gonzales; that Gonzales read the decision and then handed the respondent an envelope with the money which had been previously marked; that the respondent took the envelope, thanked Gonzales, and put it in his right pocket; and that they shook hands and Gonzales left.

It also appears that at this juncture the NBI team confronted the respondent and the team leader informed him that he had just received an envelope containing marked money; and that the respondent was speechless and shaking and gestured to take out the envelope from his pocket but, as directed by the NBI agents, he returned the envelope in his pocket and was taken by the NBI agents to their office.

Gonzales testified that he gave the money to respondent because Candelaria, police prosecutor in the case, informed him that a decision had already been prepared by respondent against Suarez but that he had to give ₱300 to the respondent, otherwise the latter would reconsider his decision and acquit Suarez. This testimony was corroborated by respondent's coaccused Candelaria.

Respondent admitted that when he arrived in his office in the afternoon of March 14, 1962, he was greeted by Gonzales who asked him if he had already prepared the decision; that he gave Gonzales a copy of the decision; and that Gonzales in turn handed him an envelope which he placed in his pocket, since the drawers of his table were locked. However, respondent maintained that when

Gonzales gave him the envelope he was only asked by Gonzales to give it to Candelaria; and that he did not know that the envelope handed to him by Gonzales contained money until he was so informed by the arresting NBI agents.

Respondent's version deserves no credence. Candelaria, respondent's coaccused, positively affirmed that respondent instructed him to call Gonzales and tell the latter to send over ₱300, thereby corroborating Gonzales' testimony on the matter. The foregoing proposition becomes clear when it is considered that respondent also failed to explain satisfactorily why he gave a copy of his decision to the father of the offended party before the date scheduled for its promulgation.

According to his clerk of court, respondent directed the former to serve notice of the promulgation of the decision on the parties and respondent agreed with her as to the date of promulgation. Since the notice of promulgation fixed the time when the decision would be made known to the parties, it was highly irregular for the respondent to give an advanced copy of the decision to the father of the offended party. The inevitable conclusion is that the money was given to the respondent as a consideration for a favorable decision in the criminal case.

The fact that respondent was acquitted by the Court of Appeals does not necessarily compel respondent's exoneration in the instant case, considering that the acquittal in the criminal case was based on a technicality that he was charged with the wrong crime; that although the element of intimidation in the crime of robbery was not proved, it was found as a fact in the same decision that respondent did receive from Gonzales the sum of ₱300, thereby showing that he committed bribery; and that the commission of either robbery or bribery is evidence of respondent's dereliction of duty.

Respondent's acts and behavior show his corruptibility and unworthiness as a public official, making him clearly unfit to administer justice. Sufficient grounds, therefore, exist for separating him from the service.

Wherefore, Mr. Manuel M. Imbao is hereby removed from office as Municipal Judge of Mandaluyong, Rizal, effective as of the date of his preventive suspension on July 23, 1962.

Done in Itbayat, Batanes, this 23rd day of April, in the year of Our Lord, nineteen hundred and sixty-five.

(Sgd.) DIOSDADO MACAPAGAL

By the President:
(Sgd.) RAMON A. DIAZ
Executive Secretary

Source: Malacañang Records Office

Office of the President of the Philippines. (1965). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 121
AUTHORIZING THE PHILIPPINE MOTOR ASSURANCE CORPORATION
TO BECOME A SURETY UPON OFFICIAL RECOGNIZANCES, STIPULATIONS,
BONDS AND UNDERTAKINGS.

WHEREAS, Section I of Act No. 536, as amended by Act No. 2206, provides that whenever any recognizance, stipulation, bond or undertaking conditioned for the faithful performance of any duty or of any contract made with any public authority, national, provincial, municipal or otherwise or of any undertaking or for doing or refraining from doing anything in such recognizance, stipulation, bond or undertaking specified is, by the laws of the Philippines or by the regulations or resolutions of any public authority therein, required or permitted to be given with one surety or with two or more sureties, the execution of the same or the guaranteeing of the performance of the condition thereof shall be sufficient when executed or guaranteed solely by any corporation organized under the laws of the Philippines, having power to guarantee the fidelity of persons holding positions of public or private trust and to execute and guarantee bonds or undertakings in judicial proceedings and to agree to the faithful performance of any contract or undertaking made with any public authority;

WHEREAS, said section further provides that no head of department, judge, officer, board or body, whether executive, legislative, or judicial, shall approve or accept any corporation as surety on any recognizance, stipulation, bond, contract or undertaking unless such corporation has been authorized to do business in the Philippines in accordance with the provisions of said Act No. 536, as amended, nor unless such corporation has, by contract with the Government of the Philippines, been authorized to become a surety upon official recognizances, stipulations, bond and undertakings; and

WHEREAS, PHILIPPINE MOTOR ASSURANCE CORPORATION is a domestic corporation organized and existing under the laws of the Republic of the Philippines and fulfills the conditions prescribed by said Act No. 536, as amended;

NOW, THEREFORE, I, DIOSDADO MACAPAGAL, President of the Philippines, by virtue of the powers vested in me by law, do hereby authorize the PHILIPPINE MOTOR ASSURANCE CORPORATION to become a surety upon official recognizances, stipulations, bonds and undertakings in such manner and under such conditions as are provided by law, subject, however, to the conditions that the amount constituting the contributed surplus fund shall not at any time be withdrawn and paid back in cash to the contributing stockholders without prior recommendation and justification by the Insurance Commissioner duly approved by the Secretary of Finance, and provided, further, that the moment PHILIPPINE MOTOR ASSURANCE CORPORATION becomes indebted to any government-owned or controlled corporation in the total amount of ₱50,000.00 accruing from the issuance of bonds, the same having been due and demandable, the insurance company must voluntarily desist from writing or issuing all kinds of bonds until the outstanding liabilities in government bonds have been fully paid or settled. Non-payment of liabilities shall be a cause for the immediate revocation of the Administrative Order.

Done in the City of Manila, this 24th day of April, in the year of Our Lord, nineteen hundred and sixty-five.

(Sgd.) DIOSDADO MACAPAGAL

By the President:
(Sgd.) RAMON A. DIAZ
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1965). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 121-A
AUTHORIZING THE PAN-MALAYAN INSURANCE CORPORATION TO BECOME A SURETY
UPON OFFICIAL RECOGNIZANCES, STIPULATIONS, BONDS AND UNDERTAKINGS.

WHEREAS, Section 1 of Act No. 536, as amended by Act 2206, provides that whenever any recognizance, stipulation, bond or undertaking conditioned for the faithful performance of any duty or of any contract made with any public authority, national, provincial, municipal or otherwise or of any undertaking or for doing or refraining from doing anything in such recognizance, stipulation, bond or undertaking specified is, by the laws of the Philippines or by the regulations or resolutions of any public authority therein, required or permitted to be given with one surety or with two or more sureties, the execution of the same or the guaranteeing of the performance of the condition thereof shall be sufficient when executed or guaranteed solely by any corporation organized under the laws of the Philippines, having power to guarantee the fidelity of persons holding positions of public or private trust and to execute and guarantee bonds or undertakings in judicial proceedings and to agree to the faithful performance of any contract or undertaking made with any public authority;

WHEREAS, said section further provides that no head of department, judge, officer, board or body, whether executive, legislative, or judicial, shall approve or accept any corporation as surety on any recognizance, stipulation, bond, contract or undertaking unless such corporation has been authorized to do business in the Philippines in accordance with the provisions of said Act No. 536, as amended, nor unless such corporation has, by contract with the Government of the Philippines been authorized to become a surety upon official recognizances, stipulations, bonds and undertakings; and

WHEREAS, PAN-MALAYAN INSURANCE CORPORATION is a domestic corporation organized and existing under the laws of the Republic of the Philippines and fulfills the conditions prescribed by said Act No. 536, as amended;

NOW, THEREFORE, I, DIOSDADO MACAPAGAL, President of the Philippines, by virtue of the powers vested in me by law, do hereby authorize the PAN-MALAYAN INSURANCE CORPORATION to become a surety upon official recognizances, stipulations, bonds and undertakings in such manner and under such conditions as are provided by law, subject, however, to the conditions that the amount constituting the contributed surplus fund shall not at anytime be withdrawn and paid back in cash to the contributing stockholders without prior recommendation and justification by the Insurance Commissioner duly approved by the Secretary of Finance, and provided, further, that the moment PAN-MALAYAN INSURANCE CORPORATION becomes indebted to any government office or government-owned or controlled corporation in the total amount of ₱50,000.00 accruing from the issuance of bonds, the same having been due and demandable, the insurance company must voluntarily desist from writing or issuing all kinds of government bonds until the outstanding liabilities in government bonds have been fully paid or settled. Non-payment of liabilities shall be sufficient cause for the immediate revocation of the Administrative Order.

Done in Itbayat, Batanes, this 27th day of April, in the year of Our Lord, nineteen hundred and sitxty-five.

(Sgd.) DIOSDADO MACAPAGAL

By the President:
(Sgd.) RAMON A. DIAZ
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1965). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 122
REMOVING MR. RICARDO T. MARFORI FROM OFFICE AS DIRECTOR
OF THE BUREAU OF SOILS.

This refers to the administrative case against Director of Soils Ricardo T. Marfori based on charges filed by an employee of the Bureau of Soils and the Chief Prosecutor of the Presidential Anti-Graft Committee (PAGCOM). The charges consist of (1) serious misconduct in office, (2) grave abuse of authority and dictatorial tendencies, (3) oppression, (4) dishonesty, (5) nepotism, (6) incompetence and (7) violation of Rule XIII of the (old) Civil Service Rules. The case was investigated by Assistant Government Corporate Counsel Lorenzo Mosqueda, in the course of which the charges for nepotism, incompetence and violation of Rule XIII of the Civil Service Rules (charges Nos. 5, 6 & 7) and certain counts of the other charges were withdrawn.

After the investigation the investigator found the respondent guilty of charges 1, 2, 3 and 4, for which he recommended that the respondent be separated from the service. A review of the records bears out the findings of the investigator.

I. SERIOUS MISCONDUCT IN OFFICE

Complainant alleges (specification [e] of the above charge) that respondent, in violation of Civil Service Rule XIII (old), and taking advantage of his official position, borrowed money from subordinate employees. The record shows that on two occasions the respondent borrowed from Mr. Crispiniano C. Hernandez, an employee of the Bureau of Soils, the sums of ₱500 and ₱250, as evidenced by two promissory notes. The amount of ₱250 was paid by him but not the ₱500, despite demands for payment.

Respondent claims that at the time the loans were contracted he was Chief of the Division of Soil Laboratories while Hernandez was Soil Engineer and Chief of the Vegetative Conservation Section of the Division of Soil Conservation under the immediate supervision of Mr. Ignacio R. Ang who was then the Chief of the Soil Division. Be that as it may, it is evident that he was guilty of willful failure to pay debts, a ground for disciplinary action under Section 19(n), Rule XVIII of the Revised Civil Service Rules (corresponding to Par. 6, Rule XVIII of the old Civil Service Rules).

II. GRAVE ABUSE OF AUTHORITY AND DICTATORIAL TENDENCIES

Under this charge, it is alleged that respondent ousted officials and employees not in good grace with him from the exercise of their functions.

Among the personnel affected was Mr. Artemio E. Gesmundo who was allegedly clipped of his duties and functions as Assistant Director and practically immobilized as such despite the definition and classification of the position by the WAPCO. Mr. Gesmundo testified that respondent did not give him work and responsibility because of a personal grudge against him.

Respondent denies the charge and states that as the relationship between the Director and Assistant Director is one of trust and confidence, he is in a better position to determine the functions, duties and responsibilities to be assigned to the Assistant Director. However, respondent has not cited any instance in which Mr. Gesmundo betrayed that trust and confidence, neither has he ever questioned the ability and capability of Mr. Gesmundo to perform his duties as Assistant Director. As correctly held by the investigator, lack of trust and confidence is not a valid reason to clip the Assistant Director of his duties and responsibilities provided for by law, not to say that as second highest official in the bureau he should be given a share in the direction of its affairs.

It is also alleged that respondent illegally relieved the Administrative Officer, Mr. Bienvenido Evangelista, of his duties although the latter does not know of any reason for such relief. Respondent avers that when Mr. Evangelista took his leave of absence, Mr. Genaro Tan was designated as Acting Administrative Officer and, upon Mr. Evangelista's return to the service, he discovered various anomalies allegedly committed by Mr. Evangelista.

If Mr. Evangelista had indeed committed anomalies as claimed by the respondent, the latter should have filed charges against the former. Mere suspicion of commission of anomalies is not a valid ground for relieving an employee of his duties, particularly one holding a responsible position like Mr. Evangelista.

It is further alleged under this charge that the Assistant Administrative Officer was demoted and illegally transferred to the province. The record shows that upon respondent's recommendation, Mr. Carlos Baltazar, Assistant Administrative Officer of the Bureau of Soils, was transferred and detailed to Soils Region No. 1 at Dagupan, vice Mr. Vicente Velasquez. Mr. Baltazar occupied the position of Administrative Assistant III while assigned in the central office carrying the WAPCO salary range of 39, while Mr. Velasquez occupied the position of Administrative Assistant I carrying WAPCO salary range of 35.

Respondent claims that Mr. Baltazar was not demoted with his transfer to Soils Region No. 1 for the reason that his transfer or detail was temporary in nature and that it was made in the interest of the public service.

The Civil Service Law forbids the transfer of an employee from one position to another involving reduction, among others, in rank. Mr. Baltazar was demoted in rank when he was transferred to Soils Region No. 1, as he occupied a position lower than that held by him in the central office. Since Mr. Baltazar's transfer, initiated and recommended by respondent, which resulted in his demotion in rank, was not the result of a disciplinary penalty imposed in an administrative case, the same was contrary to the Civil Service Law.

III. OPPRESSION

It is claimed that the respondent illegally withheld the salary of Mrs. Antonia Ramos for two months. The record shows that on March 27, 1961, Mrs. Ramos, an employee in the Bureau of Soils, filed an application for indefinite sick leave effective April 10, 1961, for medical checkup abroad. The application was approved on March 28, 1961, by the respondent and by the Secretary of Agriculture and Natural Resources on May 19, 1961, twenty-six (26) days of which are with pay, starting from April 10 to May 14, 1961.

Mrs. Ramos reported for duty on June 21, 1961, and on July 10, 1961, she informed the respondent that she had not been paid her salary effective June 21, 1961, as well as the money value of her sick leave. A few days thereafter, checks were prepared to cover the money value of her sick leave and salary from April 10 to May 1961 and salary for the period from June 21 to 30 and July 1 to 31, 1961, which she refused to receive upon advice of her counsel.

Respondent presented evidence to show that upon Mrs. Ramos' return there was need of amending her indefinite sick leave to definite sick leave of absence and that it was improper to pay her salary pending approval of her amended leave, which approval was obtained from the Secretary of Agriculture and Natural Resources only in the latter part of July 1961. Respondent contends that if there was any delay in the payment of said salary, it should not be attributed to him, but to her chief who took two weeks to decide whether or not to approve the modified voucher.

While respondent's explanation as to the delay in the payment of the money value of the earned sick leave of Mrs. Ramos finds justification in fact, there is no justification for delaying for more than a month payment of her salary earned effective June 21, 1961, after she had reported for duty. Salaries of employees should be paid on the dates they are due as fixed by law.

It is also alleged that Mrs. Laura P. Bueno was summarily removed as secretary to the Director and transferred to another division with a reduction in salary. Respondent states that Mrs. Bueno was belligerent to him and in fact filed charges against him in the fiscal's office, for which reason he had no confidence in her. Since the work of the secretary is confidential in nature and considering that he had no confidence in her, respondent transferred her to another division. While he may be justified in not taking Mrs. Bueno as his secretary for lack of confidence, he had no valid reason to reduce her salary from ₱207.90 to ₱202 per month.

IV. DISHONESTY

It is likewise alleged that respondent, despite the fact that he used the Bureau's station wagon PI-1351, continued receiving his gasoline allowance of ₱100 a month; and that while still a subordinate officer in the Bureau of Soil Conservation, he received the sum of ₱1,500 from the Litton Spinning and Weaving Mills, Inc., for the survey of its land in Hermosa, Bataan, to determine the suitability of the soil for cotton.

As regards the charge that the respondent continued receiving gasoline allowance while using the Bureau's station wagon PI-1351, the record shows that during the period from July 1, 1960, to June 30, 1961, he used said vehicle from residence to office and return as evidenced by trip tickets and at the same time collected his monthly transportation allowance of ₱100.

Respondent alleges in his defense that he was not the one who signed the vouchers for his transportation but the office auditor after having been processed by all the authorities concerned. By collecting complete transportation allowance and using government vehicle at the same time from residence to office and return, respondent collected from the government twice an amount for the same purpose, which is contrary to law.

The other charge for dishonesty against the respondent had to do with the soil survey of a certain hacienda. It appears that upon request of Mr. Edward Litton, in behalf of the Litton & Co., Inc., respondent, then chief of the Division of Soil Laboratories, Bureau of Soil Conservation (now Bureau of Soils), agreed to survey the agricultural land of the corporation in Hermosa, Bataan, to determine its suitability for cotton, and received from Mr. Litton ₱1,000 as partial fee for the survey on November 10, 1954; that on the following day respondent paid to the cashier of the Bureau of Soils the amount of ₱300 in the name of Mr. Edward Litton as deposit for conservation survey and land use planning; that on November 17, 1954, Mr. Marcos Alicante, then Director of the Bureau of Soils, informed respondent that the total expenses incurred by the Bureau of Soils in connection with the survey was only ₱94.20, and the sum of ₱205.80 was refunded to Mr. Litton; that on December 22, 1954, respondent again received from the Litton Spinning & Weaving Mills, Inc., the further sum of ₱500 as complete and absolute satisfaction of all claims for professional services.

Respondent testified that in accordance with Mr. Litton's request for the survey of the land of said firm, he contacted Mr. Rodolfo Quioque, a contractor for agricultural and landscaping work on farms and residential lots, who agreed to take charge of the trial planting of cotton at the Litton farms in Hermosa, Bataan, and that Mr. Litton agreed to take him. For his expenses and services of his men, Mr. Quioque received money from the respondent. According to the respondent, the excess amount was used in paying his companions, whose services he made use of in undertaking the job.

Respondent's explanation is unsatisfactory. The result of the work undertaken was signed by him in his capacity as an official of the Bureau of Soils. All payments made to him should have been turned over to the Bureau of Soils and the excess returned to Mr. Litton. Any payment made by him to private persons would merely compound his act of dishonesty because then he just made use of the Bureau of Soils as an unwilling tool or entity to get money from Mr. Litton and to pay the same to private individuals.

Furthermore, respondent had no reason to receive ₱500 as payment of his professional services in connection with the agricultural survey. The Civil Service Law and Rules prohibit officers or employees of the government to engage directly in any private business, vocation or profession without the written permission of the Department Head (Sec. 12, Rule XVIII, Civil Service Rules).

In view of the foregoing, and in line with the administration's drive for moral regeneration, respondent's further continuance in office is believed incompatible with the best interest of the public service. Wherefore, Mr. Ricardo T. Marfori is hereby removed from office as Director of Soils, effective on receipt of a copy of this Order.

Done in the City of Manila, this 3rd day of May, in the year of Our Lord, nineteen hundred and sixty-five.

(Sgd.) DIOSDADO MACAPAGAL

By the President:
(Sgd.) RAMON A. DIAZ
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1965). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 123
CREATING THE COMMITTEE ON REGIONAL PLANNING

WHEREAS, the emphasis on regional planning in the Five-Year Socio-Economic Development Program has led to the creation of development authorities in various regions of the Philippines;

WHEREAS, the charters of such development authorities require or envisage participation by the Office of the President in their organization and operation, in the form of assistance or supervision;

WHEREAS, it is necessary to provide a coordinating arm by which such assistance or supervision may be carried out properly and effectively and an integrated and systematic coordination of the plans and activities of the various authorities and their harmonious cooperation with the agencies of the Executive Department may be effected; and

WHEREAS, it is essential to achieve unity, consistency and effectiveness in the task of regional planning for the overall economic development of the country;

NOW, THEREFORE, I, DIOSDADO MACAPAGAL, President of the Philippines, by virtue of the powers vested in me by law, do hereby create a Committee on Regional Planning composed of a representative from each of the following offices and agencies:

1. The Program Implementation Agency, as Chairman
2. The National Economic Council, as Member;
3. The National Irrigation Administration, as Member;
4. The National Power Corporation, as Member;
5. The Department of Public Works and Communications, as Member; and
6. Such other agencies as the Committee may, with the approval of the President, include.

The Committee shall have the following functions and powers:

1. To act as the technical arm of the President in charge of regional planning;
2. To receive, screen and study all such matters as may be required by law to be submitted or referred by the various development authorities to the President;
3. To formulate such guidelines, policies, objectives, requirements or conditions for the effective exercise of Presidential supervision or assistance in regard to the various development authorities, with the end in view of effecting an integrated and systematic coordination of their plans and activities in furtherance of the government socio-economic development program;
4. To make recommendations to the President on any matter concerning regional planning or affecting the plans and activities of the various regional development authorities;
5. To act as liaison between the Office of the President and the various development authorities, or between the agencies of the Executive Department and such authorities, as to any aspect of regional planning;

6. To advise or assist the regional development authorities on phases of organization or operation or in any other matter referred to it by such authorities;
7. To enlist and accept such technical assistance or financial support as it may deem essential to the proper discharge of its task; and
8. To perform such other functions as may be directed by the President.

The Committee shall meet upon the call of any member or as its business calendar may require. It shall act on the basis of the majority vote of its members and in accordance with the rules and regulations that it may promulgate.

Done in the City of Manila, this 6th day of May, in the year of our Lord Nineteen Hundred and Sixty-five.

(Sgd.) DIOSDADO MACAPAGAL

By the President:
(Sgd.) RAMON A. DIAZ
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1965). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 124
CREATING A NATIONAL COMMITTEE TO TAKE CHARGE OF THE CELEBRATION
OF PHILIPPINE INDEPENDENCE DAY ON JUNE 12, 1965.

Pursuant to the powers vested in me by law, I, DIOSDADO MACAPAGAL, President of the Philippines, do hereby create a National Committee to take charge of the celebration of Philippine Independence Day on June 12, 1965.

The Committee shall be composed of the following:

Secretary of Education	Chairman
Secretary of Labor	Vice-Chairman
Budget Commissioner	Member
Press Secretary	Member
Mayor of Manila	Member
Chief of Staff	Member
Commissioner of Public Highways	Member
Director of Commerce	Member
Director of Museum	Member
Dr. Sotero Laurel - President of the Philippine Association of Colleges and Universities	Member
Col. Simeon Medalla - President, Veterans Federation of the Philippines	Member
Mr. Nereo Andolong - President, National Press Club	Member
Mrs. Belen Gutierrez - President, Civic Assembly of Women of the Philippines	Member
Mr. Demetrio Muñoz - President, Philippine Chamber of Commerce	Member
Mr. Manuel Collas	Member
Ambassador Manuel G. Zamora	Member-Secretary

The Committee shall meet at the call of the Chairman and, for the purpose of discharging its functions, may create such sub-committees as may be necessary.

Done in the City of Manila, this 11th day of May, in the year of Our Lord, nineteen hundred and sixty-five.

(Sgd.) DIOSDADO MACAPAGAL

By the President:
(Sgd.) RAMON A. DIAZ
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1965). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 125

CREATING THE PHILIPPINE PANEL TO THE RP-US JOINT VETERANS COMMISSION
CHARGED WITH THE SETTLEMENT OF THE OMNIBUS CLAIMS OF THE REPUBLIC
OF THE PHILIPPINES AGAINST THE UNITED STATES

Pursuant to the powers vested in me by law, I, DIOSDADO MACAPAGAL, President of the Philippines, do hereby create the Philippine Panel which shall take up with its United States counterpart in the RP-US Joint Veterans Commission the Omnibus Claims of the Republic of the Philippines against the United States arising from World War II, to be composed of the following:

General Carlos P. Romulo	Chairman
Secretary Macario Peralta, Jr.	Vice Chairman
Senator Rodolfo Ganson	Member
Representative Ramon Bagatsing	Member
Undersecretary Librado Cayco	Member
Ambassador Eduardo Quintero	Member
PVB Chairman Simeon Medalla	Member

The Philippine Panel shall be guided by the findings and recommendations of the Cabinet Veterans Affairs Committee in the conduct of its preparatory work and the actual discussions with the United States Panel. For this purpose, it is hereby authorized to engage the services of Technical Assistants and other persons needed for the successful negotiation of the Omnibus Claims of the Republic of the Philippines.

Done in the City of Manila, this 12th day of May, in the year of Our Lord, nineteen hundred and sixty-five.

(Sgd.) DIOSDADO MACAPAGAL

By the President:
(Sgd.) RAMON A. DIAZ
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1965). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 126
ACCELERATING THE MORAL REGENERATION DRIVE IN THE PUBLIC SERVICE.

WHEREAS, during the past three years the Administration has engaged in an intensive moral regeneration campaign and gratifying results have been achieved, particularly in the upper echelon of the government where graft and corruption has been minimized, if not virtually eradicated;

WHEREAS, the drive against graft and corruption is a continuing concern of the government for the preservation and maintenance of an honest, efficient and dedicated public service;

WHEREAS, while big time graft and corruption has been arrested and official venalities have been reduced steadily at all levels, there are disturbing reports that some officials are not sufficiently cooperating in the moral regeneration campaign;

NOW, THEREFORE, I, DIOSDADO MACAPAGAL, President of the Philippines, by virtue of the powers vested in me by law, do hereby order:

1. All heads of departments, bureaus, offices and instrumentalities of the government, including government-owned or controlled corporations, and local subdivisions should carry on and intensify the drive against graft and corruption in their respective offices and jurisdictions, sparing neither time nor effort for the attainment of the overall objective of a clean and honest government.

2. At this stage of the rising momentum of the relentless moral regeneration drive, it is required that officials and employees adhere strictly to the anti-graft campaign and are hereby accordingly strongly cautioned against involving themselves or participating in any dubious matter or transaction or tolerating official venalities by subordinates.

3. Notice is hereby served that failure of any official at any level to heed the strong caution expressed in the next preceding paragraph will be dealt with drastically irrespective of who is involved or any other consideration.

Done in the City of Manila, this 14th day of June, in the year of Our Lord, nineteen hundred and sixty-five.

(Sgd.) DIOSDADO MACAPAGAL

By the President:
(Sgd.) RAMON A. DIAZ
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1965). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 127
CREATING THE COMMITTEE FOR LAND REFORM EDUCATION.

WHEREAS, it is imperative to effect as soon as possible the implementation of the Joint Communique dated October 6, 1964, between the President of the Philippines and the President of the United States, particularly as regards Land Reform Education;

WHEREAS, the Philippine Government has decided to take all necessary measures to effect its program of Land Reform Education; and

WHEREAS, it is necessary to create a Committee to discuss with the United States Government Land Reform Education;

NOW, THEREFORE, I, DIOSDADO MACAPAGAL, President of the Philippines, by virtue of the powers vested in me by law, do hereby create a Committee to represent the Philippines in the Philippine-U.S. Joint Committee for Land Reform Education, to be composed of the following:

The Chairman, National Land Reform Council	Chairman
The Secretary of Foreign Affairs or his representative	Member
The Secretary of Agriculture or his representative	Member
The Director-General, Program Implementation Agency	Member

The Committee shall be assisted by a Technical Group composed of representatives from the National Land Reform Council, Department of Foreign Affairs, Department of Education, National Economic Council and Program Implementation Agency who shall be designated by their respective offices. The Chairman of this Group shall be the representative of the Land Reform Council.

The Committee shall have the following functions:

1. To negotiate with the United States Government on the implementation of the Joint Communique as regards Land Reform Education;
2. To guide and direct the development of the Philippine program concerning Land Reform Education, more particularly to achieve the following objectives:
 - a. To arouse greater public awareness in the land reform program as embodied in Republic Act No. 3844, otherwise known as the Agricultural Land Reform Code, in order to win public support, maintain goodwill and, in general, gain acceptance of the broad philosophy and concepts of the program;
 - b. To harness all available resources, human and material, at all levels of Philippine community life, towards a balanced development of programs for land reform;
 - c. To enable it to cooperate with public and/or private institutions working along the same objectives of rural development, locally or abroad;

- d. To provide situations which would enable the farmer to desire for himself and work towards the needed changes in his own group structure, the barrio;
 - e. To enable the farmer to recognize his own role in effecting changes and to accept the responsibilities that go with changed patterns of doing and thinking; and
 - f. To achieve, through this program, a truly viable society for the country;
3. To facilitate the establishment of the administrative and organizational machinery that would ensure the effective coordination of organized programs on land reform education:
 - a. Farmer Education
 - b. Teacher Institutes on Land Reform
 - c. Land Reform Technician Training
 - d. Community Education and Information
 - e. Landowner Re-Orientation; and
4. To perform such other functions as would effect the proper implementation of the Joint Communique concerning Land Reform Education.

For this purpose, the Committee is hereby authorized to call upon any department, bureau, office, agency or instrumentality of the Government for such assistance and information as it may require in the performance of its functions and shall have such other powers consistent with the execution of its duties.

The Committee shall meet at the call of the Chairman and shall submit from time to time reports on the progress of its activities to the President.

Done in the City of Manila, this 1st day of July, in the year of Our Lord, nineteen hundred and sixty-five.

(Sgd.) DIOSDADO MACAPAGAL

By the President:

(Sgd.) JUAN S. CANCIO

Acting Assistant Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1965). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 128
AUTHORIZING THE PYRAMID INSURANCE COMPANY, INC. TO BECOME A SURETY UPON
OFFICIAL RECOGNIZANCES, STIPULATIONS, BONDS AND UNDERTAKINGS.

WHEREAS, Section I of Act No. 536, as amended by Act No. 2206, provides that whenever any recognizance, stipulation, bond or undertaking conditioned for the faithful performance of any duty or of any contract made with any public authority, national, provincial, municipal or otherwise, or of any undertaking or for the doing or refraining from doing anything in such recognizance, stipulation, bond or undertaking specified is, by the laws of the Philippines or by the regulations or resolutions of any public authority therein, required or permitted to be given with one surety or with two or more sureties, the execution of the same or the guaranteeing of the performance of the condition thereof shall be sufficient when executed or guaranteed solely by any corporation organized under the laws of the Philippines, having power to guarantee the fidelity of persons holding positions of public or private trust and to execute and guarantee bonds or undertakings in judicial proceedings and to agree to the faithful performance of any contract or undertaking made with any public authority;

WHEREAS, said section further provides that no head of department, judge, officer, board of body, whether executive, legislative, or judicial, shall approve or accept any corporation as surety on any recognizance, stipulation, bond, contract or undertaking, unless such corporation has been authorized to do business in the Philippines in accordance with the provisions of said Act No. 536, as amended, nor unless such corporation has, by contract with the Government of the Philippines, been authorized to become a surety upon official recognizances, stipulations, bonds and undertakings; and

WHEREAS, PYRAMID INSURANCE COMPANY, INC. is a domestic corporation organized and existing under the laws of the Republic of the Philippines and fulfills the conditions prescribed by said Act No. 536, as amended;

NOW, THEREFORE, I, DIOSDADO MACAPAGAL, President of the Philippines, by virtue of the powers vested in me by law, do hereby authorize PYRAMID INSURANCE COMPANY, INC. to become a surety upon official recognizances, stipulations, bonds and undertakings in such manner and under such conditions as are provided by law, subject, to the conditions that the amount constituting the contributed surplus fund shall not at anytime be withdrawn and paid back in cash to the contributing stockholders without prior recommendation and justification by the Insurance Commissioner duly approved by the Secretary of Finance, and provided, further, that the moment PYRAMID INSURANCE COMPANY, INC. becomes indebted to any government-owned or controlled corporation in the total amount of ₱50,000.00 accruing from the issuance of bonds, the same having become due and demandable, the insurance company must voluntarily desist from writing or issuing all kinds of bonds until the outstanding liabilities in government bonds shall have been fully paid or settled. Non-payment of liabilities shall be a cause for the immediate revocation of the Administrative Order.

Done in the City of Manila, this 27th of July, in the year of Our Lord, nineteen hundred and sixty-five.

(Sgd.) DIOSDADO MACAPAGAL

By the President:

(Sgd.) JUAN S. CANCIO

Acting Assistant Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1965). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 129
CONDONING THE BACK RENTALS DUE FROM TENANTS AND OCCUPANTS
OF THE BUENAVISTA ESTATE IN THE PROVINCE OF BULACAN.

WHEREAS, the Buenavista Estate in the province of Bulacan was purchased by the Government with the end in view of subdividing the same for distribution to bona-fide occupants or tenants and other qualified landless individuals of this country;

WHEREAS, the acquisition of said landed estate was in accordance with the provisions of the Constitution and laws authorizing the acquisition by the Government of landed estates for subdivision into lots and resale at cost to qualified persons;

WHEREAS, the imposition of rentals to occupants and tenants of said estate has resulted in the institution of landlord-tenant relationship which is not in accordance with the intent and spirit of the Constitution and laws;

WHEREAS, the failure of the tenants and occupants to pay the rentals was due partly to their justified conviction that they were to pay for the cost of the land and not for the use thereof, since the estate was precisely purchased by the Government in their behalf, and also to the past Huk incursions and crop failures; and

WHEREAS, the collection of the tremendous arrearages in rentals beyond the limited capacity of the tenants and occupants to settle constitutes an insurmountable obstacle to the execution of deeds of sale in their favor and the ultimate issuance of titles to them, thereby defeating the primordial policy and objective of the Government of land for the landless.

NOW, THEREFORE, I, DIOSDADO MACAPAGAL, President of the Philippines, by virtue of the powers vested in me by law, and the best interest of the Government so requiring, do hereby order:

That the outstanding rentals of lessees, bona-fide tenants and occupants found qualified under the law, rules and regulations to acquire lands in the Buenavista Estate, as well as rentals in arrears of promisees in agreements to sell, are hereby condoned and said persons relieved therefrom.

Done in San Rafael, Bulacan, this 29th day of July, in the year of Our Lord, nineteen hundred and sixty-five.

(Sgd.) DIOSDADO MACAPAGAL

By the President:

(Sgd.) I. SANTOS DIAZ

Acting Assistant Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1965). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 130
REPRIMANDING MR. FERNANDO MANALASTAS, ACTING ASSISTANT
PUBLIC SERVICE OFFICER OF THE CITY OF MANILA.

Mr. Fernando Manalastas, Acting Assistant Public Service Officer of the City of Manila, is charged with illegal use of government property, vehicle and personnel for his personal or private benefit in connection with the construction of a water tank tower at his residence in Malabon, Rizal.

This case arose from the report of the Police Special Team of the City Mayor dated February 21, 1964, stating, among other things, (1) that Mr. Fernando Manalastas, Acting Assistant Public Service Officer, “with intent to gain, had induced Mr. Manuel Privado (his driver) to take out, as the latter in fact took out, several pieces of lumber . . . from the carpentry shop of the Department of Public Services on February 1st, 1964, without the consent of the owner (the government), which materials were estimated to cost less than ₱50.00, and used them, without any authority, in the construction of the water tank in his backyard at No. 2 Chico Road, Malabon, Rizal;” (2) that “Manuel Privado, in the course of taking out and delivering said materials, illegally used a government vehicle, jeep No. RP-5625, contrary to standing administrative regulations prohibiting the same;” (3) that “Mr. Fernando Manalastas, also with intent of gain, using a government vehicle, jeep No. 5625, without authority from the government, took from the carpentry shop of the DPS on February 3, 1964, two pieces of lumber measuring about 4 feet long and 20 cm. wide, and one G.I. sheet, all estimated to be worth less than ₱20.00;” and (4) that “Mr. Manalastas employed six (6) DPS government carpenters in the construction of the above-mentioned water tank tower.”

The Investigating Committee of the Mayor recommended that the respondent be only admonished and warned based on the following findings:

“(a) That there is no substantial evidence to support the charge that Mr. Manalastas used government-owned lumber in the construction of his water tank tower;

“(b) That the galvanized iron sheet and two pieces of lumber taken out of the DPS Carpentry Shop on February 3, 1964, were used for some official purpose;

“(c) That Mr. Manalastas committed a violation of rules and regulations when he caused privately-owned lumber to be loaded in Jeep RP-5625 on February 1, 1964. Your Committee holds the view that the violation is not a serious one considering the circumstances under which the government vehicle in question was used, namely, that the lumber was loaded at a time when it was anyway going to the residence of Mr. Manalastas, and as such it did not involve additional expense to the City government. In short, the loading was only incidental to an authorized use.

“(d) With respect to the services rendered by the DPS carpenters at the residence of Mr. Manalastas on February 1, 1964 (a Saturday when the carpenters were off-duty), your Committee has found that the same may in some measure be a violation of Section 19(u) of the Revised Civil Service Rules and Regulations, and may be considered as a transgression of the bounds of sound or ethical official conduct.”

The Mayor of Manila concurs in the findings and recommendation of the Investigating Committee.

I agree with the findings of the Investigating Committee but not with its recommendation that the respondent be only admonished. A public official's act and conduct must not only be legal but moral as well, and the respondent deserves at least a severe reprimand for his indiscretion.

In view of the foregoing, Mr. Fernando Manalastas, Acting Assistant Public Service Officer of the City of Manila, is hereby severely reprimanded and warned that commission of the same or similar offense in the future will be dealt with drastically.

Done in the City of Manila, this 2nd day of August, in the year of Our Lord, nineteen hundred and sixty-five.

(Sgd.) DIOSDADO MACAPAGAL

By the President:

(Sgd.) JUAN S. CANCIO

Acting Assistant Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1965). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 131
AUTHORIZING THE PREMIER INSURANCE AND SURETY CORPORATION
TO BECOME A SURETY UPON OFFICIAL RECOGNIZANCES, STIPULATIONS,
BONDS AND UNDERTAKINGS.

WHEREAS, Section I of Act No. 536, as amended by Act 2206, provides that whenever any recognizance, stipulation, bond or undertaking conditioned for the faithful performance of any duty or of any contract made with any public authority, national, provincial, municipal or otherwise or of any undertaking or for doing or refraining from doing anything in such recognizance, stipulation, bond or undertaking specified is, by the laws of the Philippines or by the regulations or resolutions of any public authority therein, required or permitted, to be given with one surety or with two or more sureties, the execution of the same or the guaranteeing of the performance of the condition thereof shall be sufficient when executed or guaranteed solely by any corporation organized under the laws of the Philippines, having power to guarantee the fidelity of persons holding positions of public or private trust and to execute and guarantee bonds or undertakings in judicial proceedings and to agree to the faithful performance of any contract or undertaking made with any public authority;

WHEREAS, said section further provides that no head of department, judge, officer, board or body, whether executive, legislative, or judicial, shall approve or accept any corporation as surety on any recognizance, stipulation, bond, contract or undertaking unless such corporation has been authorized to do business in the Philippines in accordance with the provisions of said Act No. 536, as amended, nor unless such corporation has, by contract with the Government of the Philippines, been authorized to become a surety upon official recognizances, stipulations, bonds and undertakings; and

WHEREAS, THE PREMIER INSURANCE AND SURETY CORPORATION is a domestic corporation organized and existing under the laws of the Republic of the Philippines and fulfills the conditions prescribed by said Act No. 536, as amended;

NOW, THEREFORE, I, DIOSDADO MACAPAGAL, President of the Philippines, by virtue of the powers vested in me by law, do hereby authorize the PREMIER INSURANCE AND SURETY CORPORATION to become a surety upon official recognizances, stipulations, bonds and undertakings in such manner and under such conditions as are provided by law, subject, however, to the conditions that the amount constituting the contributed surplus fund shall not at anytime be withdrawn and paid back in cash to the contributing stockholders without prior recommendation and justification by the Insurance Commissioner duly approved by the Secretary of Finance, and provided further, that the moment THE PREMIER INSURANCE AND SURETY CORPORATION becomes indebted to any government-owned or controlled corporation in the total amount of ₱50,000.00 accruing from the issuance of bonds, the same having been due and demandable, the insurance company must voluntarily desist from writing or issuing all kinds of bonds until the outstanding liabilities in government bonds have been fully paid or settled. Non-payment of liabilities shall be a cause for the immediate revocation of the Administrative Order.

Done in the City of Manila, this 9th day of August, in the year of Our Lord, nineteen hundred and sixty-five.

(Sgd.) DIOSDADO MACAPAGAL

By the President:
(Sgd.) RAMON A. DIAZ
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1965). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 132
TRANSFERRING MR. LEONARDO C. GUTIERREZ, PROVINCIAL TREASURER
OF BATANGAS, TO ANOTHER PROVINCE.

These are two administrative cases against Provincial Treasurer Leonardo C. Gutierrez of Batangas for misconduct in office and conduct prejudicial to the best interest of the service in the first case and, in the second case, for grave misconduct and conduct prejudicial to the interest of the service on four (4) counts, namely: (1) engaging in the manufacture and sale of hollow blocks without any previous authority, (2) utilizing government trucks and other equipment in the hauling of raw materials for his private business, (3) requiring certain employees in his office to perform domestic work in his residence and (4) harassing and threatening Ignacio Alcantara, assistant chief lineman, Office of the Provincial Treasurer of Batangas.

In the first case, it is alleged that sometime in November 1962 respondent ordered the removal from the toilet of the capitol building of the province of Batangas of thirteen (13) pieces of marble walls and their transfer to a private resort known as “Riverside” where some were made into tables and the rest left idle in the premises; that during the same period he ordered the removal of five (5) public telephone poles from a place known as “Mataas na Kahoy” and had them brought to the aforesaid private resort where they were used in the construction of its swimming pool; and that the above acts were done to the damage and prejudice of the government.

At the formal hearing of this case, respondent stated that the removal of the government properties involved was authorized by the Provincial Governor of Batangas upon the request of the Municipal Mayor of Tanauan and that his acts did not cause any damage or prejudice to the government, as the materials were transferred to the “Riverside” resort which is a provincial government project.

Respondent also stated that, contrary to the contention of government counsel, the transfer of the materials was in accordance with the provisions of law and regulations, Section 640 of the Administrative Code not being applicable, as the materials had not been proposed to be destroyed or sold at public auction.

Upon respondent’s explanation, the question that need be resolved is whether he properly disposed of the materials involved. This Office agrees with the Secretary of Finance that a report of waste materials should have been submitted first to the Provincial Auditor for action before the materials were disposed of, even if the same were not proposed to be destroyed or sold at public auction. As an accountable officer of provincial government properties, respondent was not free to dispose of them without the approval of the auditor. He therefore violated Section 640 of the Revised Administrative Code in relation to Section 910 of the Revised Manual of Instructions to Treasurers.

In the second case, the respondent waived his right to a formal hearing and instead merely submitted a written answer. He explained that, as to Count No. 1, the private business referred to is owned by a partnership known as the Tanauan Riverside Concrete Products originally capitalized by his wife and children in the amount of ₱15,000; that the partnership was duly formed on July 22, 1963; and that, in accordance with a ruling of the commissioner of Civil Service on a similar case, the

wife of a government employee is not under the administrative jurisdiction of the government and that the husband should only be warned not to interfere with his wife's business.

With respect to Count No. 2, Ignacio Alcantara, assistant chief lineman, Office of the Provincial Treasurer of Batangas, declared in a sworn statement that respondent took advantage of his position as Provincial Treasurer by utilizing government trucks and other equipment in the hauling of raw materials and the delivery of finished products for his private business to the prejudice of the government. Denying the charge, respondent averred that the partnership owns a De Soto truck, a Willy's jeep and a trailer which are being used by the factory any time.

As regards Count No. 3, it is alleged that Miss Alicia Besid, an employee in the Office of the Provincial Treasurer of Batangas, was not rendering services as telephone operator but instead was being required by the respondent to do household chores for his family. Respondent claimed that Miss Besid requested his family to give her board and lodging and that in her stay in their house, she attended to washing her own clothes and cleaning her room. He submitted an affidavit signed by Miss Besid to support his statement.

Regarding Count No. 4, respondent is charged with harassing and threatening Ignacio Alcantara upon knowing that the latter had executed a sworn statement in connection with the aforementioned charges. According to respondent, it was he who was being harassed and threatened by Alcantara who had fabricated the charges against him and was seeking revenge for his refusal to employ two of Alcantara's children.

After a perusal of the records, this Office finds, under Count No. 1, that the partnership is exclusively a family affair. It is believed that respondent as head of the family must have been actually managing the business of the partnership, as attested to by Ignacio Alcantara, and that his non-inclusion among the official partners was merely designed to circumvent the prohibition imposed by standing rules and regulations on the matter.

It is also believed that respondent's denial of the charge in Count No. 2 cannot preclude the probability of government trucks having been used in the business of his family in addition to the use of the facilities owned by the partnership. This was confirmed by witnesses who had risked their positions in the government service by giving statements to this effect.

As to the third count, Miss Besid, an employee in the respondent's office, has been boarding in his house. Under the circumstances, it is highly probable that respondent utilized and availed of her services even during office hours to do some work for his household. This fact was likewise attested to by the complaining witnesses.

Finally, as to the fourth count, there is no sufficient basis for holding respondent guilty of harassment and threats. He is therefore liable under Counts 1, 2 and 3 in the second case.

Wherefore, and considering the nature of the offenses committed by the respondent, it is believed that his further stay in Batangas is against the interest of the service. Accordingly, and upon the recommendation of the Secretary of Finance, Provincial Treasurer Leonardo C. Gutierrez is hereby ordered to be transferred to another province of a lower class.

Done in the City of Manila, this 10th day of August, in the year of Our Lord, nineteen hundred and sixty-five.

(Sgd.) DIOSDADO MACAPAGAL

By the President:
(Sgd.) JUAN S. CANCIO
Acting Assistant Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1965). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 132-A
CONSIDERING MR. RODOLFO S. AZANZA RESIGNED AND SEPARATED
AS MUNICIPAL JUDGE OF MANDAON, MASBATE.

This is an administrative case against Mr. Rodolfo S. Azanza, municipal judge of Mandaon, Masbate, for (1) irregular attendance in office, (2) residing outside the poblacion, (3) holding office in a private house and (4) undue delay in the disposition of cases.

Respondent admitted all the charges except the first, The District Judge who investigated the case found him guilty of the last two charges and recommended his suspension from office without pay for six (6) months, with reprimand and warning. The former Secretary of Justice, while concurring in the findings, recommended removal for gross negligence and inefficiency.

As to the charge of holding office in a place other than that provided as courtroom by the municipal authorities, respondent claimed that the place allotted to him was very inconvenient. This is a flimsy excuse, considering that other officials of the municipality hold office in the same building. Moreover, the rule is that, where the law has fixed the place for holding a justice's court (Sec. 74, Judiciary Act), it cannot be held in any other place (31 Am. Jr. 749).

The charge of undue delay in the disposition of cases is admitted by respondent and borne out by official records. The records reveal a litany of delay in cases under preliminary investigation and those within his original jurisdiction. In the former class of cases, respondent incurred the longest delay in Criminal Case No. 333 which took him 11 months and 4 days after waiver of preliminary investigation to transmit the record to the Court of First Instance. The same kind of delay occurred in Criminal Case No. 322 (7 months and 19 days).

Respondent is also guilty of undue delay in the approval of waiver of investigation, the most serious of which was committed in Criminal Case No. 334, where the waiver was approved only after 11 months and 3 days. A like delay was committed in Criminal Cases Nos. 336, 322 and 375, the last one being still pending on January 27, 1960, or 7 months and 26 days after the waiver. Likewise unreasonable was the delay occurring between the date of arrest and the date of waiver of investigation: Criminal Case No. 363 (8 months and 4 days and still pending on Jan. 27, 1960); Criminal Case No. 336 (9 months and 25 days); Criminal Case No. 334 (6 months and 13 days); Criminal Case No. 379 (5 months and 14 days); and Criminal Case No. 383 (4 months and 8 days). Criminal Case No. 318 was dismissed on April 5, 1958, but up to June 24, 1960, the record had not been remanded to the Court of First Instance.

Culpable protractions also occurred in cases triable in respondent's court, the worst of which is Criminal Case No. 294 where trial was commenced only after the lapse of 2 years, 1 month and 29 days from the date the accused was arrested. The same observation holds as regards Criminal Case No. 338 (1 year 10 months and 26 days); Criminal Case No. 320 (11 months 24 days); Criminal Case No. 324 (8 months and 25 days); and Criminal Case No. 293 (4 months and 10 days).

Equally reprehensible are the delays in the promulgation of decisions, ranging from 6 months and 4 days to 1 year, 4 months and 11 days (Crim. Cases Nos. 320, 324, 330 and 350). In Criminal Case

No. 311, it took respondent 1 year, 6 months and 26 days to remand the case to the Court of First Instance after the filing of the notice of appeal.

Respondent attributed the delays to (1) frequent requests for postponement by the parties and their counsel, (2) lack of office help and facilities and (3) his chronic illnesses of back pains, hemorrhoids, diabetes and suspected pulmonary tuberculosis. As observed by the Secretary of Justice, these circumstances can not justify respondent's manifestly irregular administration of justice. He should have denied requests for postponements of trial which would unduly delay the disposition of the case. While the other causes mentioned by him might have contributed to his delay, they do not justify its excessive character amounting to gross negligence and inefficiency.

Such negligence and inefficiency is also proven by his failure to keep his docket up to date, as shown by its notably incomplete entries. Thus, in Criminal Cases Nos. 307, 320, 321, 322, 333, 334, 338, 339, 341 and 342 only the dates of filing appear despite subsequent official acts of the respondent to which he testified. Actuations of doubtful validity were also observed from respondent's docket entries, such as the dismissal of criminal cases with costs against the accused (Crim. Cases Nos. 303 and 347).

In view of all the foregoing, clearly showing respondent's gross neglect and inefficiency, and considering the attendant circumstances, Mr. Rodolfo S. Azanza is hereby considered resigned and separated from office as municipal judge of Mandaon, Masbate, effective upon receipt of a copy of this order.

Done in the City of Manila, this 27th day of August, in the year of Our Lord, nineteen hundred and sixty-five.

(Sgd.) DIOSDADO MACAPAGAL

By the President:

(Sgd.) JUAN S. CANCIO

Acting Assistant Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1965). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 133
EXONERATING MR. JOSE L. RECIO, PROVINCIAL TREASURER OF BATAAN.

This is an administrative case against Mr. Jose L. Recio, Provincial Treasurer of Bataan, for alleged technical malversation involving the purchase of two (2) heavy cars for his exclusive use and that of the Acting Provincial Auditor committed in his capacity as officer in charge of the Office of the Provincial Treasurer of Batangas.

In support of the charge, the complainant, Mr. Leonardo C. Gutierrez, alleged, among other things, that the cost of the two cars had been charged against the road and bridge fund of the province of Batangas, in violation of Section 2113 of the Revised Administrative Code and Sections 126 and 469 of the Revised Manual of Instructions to Treasurers.

At the formal hearing of the case, both complainant and respondent agreed that two heavy cars, specifically described as follows:

“One (1) 1963 Impala, four door sedan-Autumn Beige, bearing Serial No. CAP-63MML-17207, Eng. No. P0514BA 317204, Supplied with Jack w/ handle, rim wrench & WDW tire GDR GI 189 (c/o The Provincial Treasurer) and
“One (1) 1963 Impala-four door sedan-Saddle brown, bearing Serial No. CAP-63 MNL-17235, Eng. No. P0531AC 317231, Supplied with Jack w/ handle, rim wrench, & WSW tire FRS-CI-1197 (c/o The Provincial Auditor).”

were purchased by the province of Batangas under Requisition & Issue Voucher No. 00604 dated November 19, 1963; and that the purchase price was charged to the Road and Bridge Fund (J-71-7).

Respondent, however, denied having committed the offense charged, claiming that his act of requisitioning and purchasing the cars in question from the Road and Bridge Fund does not constitute technical malversation, as there was an appropriation set aside for the purchase of land transportation equipment in the Road and Bridge Fund; and that such transaction was legal, considering that approval of the same had been favorably recommended by the Secretary of Finance as regards the car for the official use of the Provincial Treasurer and by the Auditor General as to the other car for the official use of the Provincial Auditor; and that the purchase had been approved by the Executive Secretary, acting by authority of the President.

On the other hand, complainant, to bolster his charge, submitted an opinion of the Deputy Auditor General contained in his 4th Indorsement dated August 11, 1964 (Exh. A), the pertinent portion of which reads:

“... the purchase of the two (2) cars here in question with funds coming from the road and bridge fund for the exclusive use of the Provincial Treasurer and the Provincial Auditor of the province of Batangas, as stated in Resolution No. 2323 of the Provincial Board of said province, series of 1963, is not in consonance with

the ruling of this Office and the provisions of the Revised Manual of Instructions to Treasurers to the effect that the road and bridge fund may not be used for the purchase of cars or automobiles for the exclusive use of officials other than the District Engineer . . . such an action would be tantamount to indirect transfer of funds from the road and bridge fund to general fund . . .”

After a perusal of the record of the case, this Office finds respondent’s explanation satisfactory. Despite the aforesaid opinion, the record shows that the Deputy Auditor General himself recommended approval of the transaction as an exceptional case and that it was duly approved. Wherefore, Provincial Treasurer Jose L. Recio is hereby exonerated from the charge.

Done in the City of Manila, this 1st day of Sept., in the year of Our Lord, nineteen hundred and sixty-five.

(Sgd.) DIOSDADO MACAPAGAL

By the President:

(Sgd.) JUAN S. CANCIO

Acting Assistant Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1965). [*Administrative Order Nos.: 1 - 191*]. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 134
CREATING THE PHILIPPINE NATIONAL COMMITTEE ON FREEDOM
FROM HUNGER CAMPAIGN.

WHEREAS, fully one-half of the world's population is either illnourished or underfed;

WHEREAS, to fight this state of malnutrition and under-nourishment, the Food and Agriculture Organization (FAO) of the United Nations, of which the Philippines is member, launched on July 1, 1960, a world-wide Campaign for Freedom from Hunger and invited Member Countries to join in the collective effort to remove the threat of hunger by the establishment of National Committees on Freedom From Hunger Campaign; and

WHEREAS, to give this campaign a wider base on which to operate, the FAO has suggested to Member Governments and Associate Members that membership of the National Committees should include governmental and non-governmental or civic organizations;

NOW, THEREFORE, I, DIOSDADO MACAPAGAL, President of the Philippines, by virtue of the powers vested in me by law, do hereby create the Philippine National Committee on Freedom From Hunger Campaign which shall (1) act as a counterpart of the FAO of the United Nations and the Philippine National FAO Committee; (2) bring before the people the reality of hunger Which confronts all developing countries including the Philippines; (3) stimulate and support nation-wide action programs for the purpose of bridging the gap between available and optimum food supplies through informational education, cooperative efforts and research; and (4) adopt such other measures as will achieve a better understanding of providing adequate food for the present and future population of the world.

The Committee shall be composed of the following:

His Excellency, the President of the Philippines	Honorary Chairman
The Secretary of Agriculture and Natural Resources	Chairman
The District Governor, Rotary Club International in the Philippines	Member
The President, National Federation of Women's Clubs	Member
The President, Junior Chamber of Commerce of Commerce of the Philippines	Member
The President, Philippine Chamber of Agriculture and Natural Resources	Member
Chief Deputy, Knights of Columbus of the Philippines	"
The President and Managing Director, Operation Brotherhood	"
The President, Town Hall Philippines	"
The Executive Secretary, Nutrition Foundation of the Philippines	"
The Presidential Assistant on Community Development (PACD)	"
The Governor, District No. 301-A, Lions Club International	"

The President, Nation-Ad Philippines, Inc.	Member
The National Scout Executive, Boy Scouts of the Philippines	"
The National Scout Executive, Girl Scouts of the Philippines	"
The Chairman, Philippine Rural Reconstruction Movement (PRRM)	"
The President, Philippine Public School Teachers' Association	"
The Chairman, 4-H Clubs National Advisory Council of the Philippines	"
The President, Interislands Deep-Sea Fishing Association	"
The President, Federation of Free Farmers of the Philippines	"
The President, Bankers' Association of the Philippines	"
The Executive Secretary, Philippine National FAO Committee (Ex-Officio Member)	"
The Director, Catholic Relief Services-NCWC Philippine Program	"

The Committee may from time to time recommend to the President of the Philippines the designation of additional members.

Unless otherwise directed, the Committee shall continue to function until June 30, 1970. It shall have power to raise funds by voluntary contributions according to law to meet its financial obligations.

The Committee shall render special and annual reports of its activities and achievements to the President of the Philippines, furnishing copies thereof to the Director-General of FAO.

This Administrative Order supersedes Administrative Order No. 26 dated October 3, 1962, and the records, property, assets and liabilities of the Committee created thereunder are transferred to the Committee herein created.

This Order shall take effect immediately.

Done in the City of Manila, this 6th day of September, in the year of Our Lord, nineteen hundred and sixty-five.

(Sgd.) DIOSDADO MACAPAGAL

By the President:

(Sgd.) I. SANTOS DIAZ

Acting Assistant Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1965). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 135
AMENDING ADMINISTRATIVE ORDER NO. 84 DATED FEBRUARY 1, 1964,
ENTITLED “CREATING A COMMITTEE TO STUDY AND FORMULATE
A NATIONAL CIVIL AVIATION POLICY.”

The seventh paragraph of Administrative Order No. 84 dated February 1, 1964, is hereby amended to read as follows:

“The Committee shall be composed of the following:

The Chairman	
Civil Aeronautics Board	Chairman
The Undersecretary	
Department of Foreign Affairs	Member
The Commanding General	
Philippine Air Force	Member
The Chairman of the Board or	
The President	
Philippine Air Lines, Inc.	Member
The Chairman	
Board of Supervisors	
Philippine Tourist and Travel Association	Member”

Done in the City of Manila, this 6th day of September, in the year of Our Lord, nineteen hundred and sixty-five.

(Sgd.) DIOSDADO MACAPAGAL

By the President:
(Sgd.) I. SANTOS DIAZ
Acting Assistant Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1965). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 136
REPRIMANDING MUNICIPAL JUDGE FELIPE ELEOSIDA OF KIDAPAWAN, COTABATO.

This is an administrative case instituted against Municipal Judge Felipe T. Eleosida of Kidapawan, Cotabato, arising from charges filed by Mr. Nemesio Loma, for grave abuse of discretion, grave misconduct in office, high-handedness, partiality, ignorance of the law and/or incompetence. All the charges relate to respondent's actuations in Civil Case No. 12 of the Justice of the Peace Court of Makilala, Cotabato, which case was assigned to him after the inhibition of the regular incumbent. The complaint was formally investigated by the District Judge of Cotabato.

A perusal of the record shows that there is no sufficient basis to find the respondent indubitably guilty of the charges of abuse of authority, partiality and incompetence. The finding of the District Judge that respondent was guilty of undue delay in acting on the case which, being one for unlawful detainer, is a summary proceeding, based on complainant's allegations denied by respondent, that he was absent or late on the dates and time set for the hearing, may not be given full credit, as the documentary evidence submitted in the investigation of this case does not bear out the alleged misfeasances of the respondent.

It is observed, however, as noted by the District Judge, that there were occasions when respondent was remiss in his obligation to promote a speedy administration of justice, especially in proceedings of a summary character. In the absence of a showing that such a failing was willful and malicious, or intended to favor one party or obstruct the administration of justice to all litigants alike, it is believed that, as held by the incumbent Secretary of Justice, such conduct does not render the respondent unfit to continue in the judiciary of which he is a member of long standing.

Wherefore, and as recommended by the Secretary of Justice, Municipal Judge Felipe Eleosida of Kidapawan, Cotabato, is hereby reprimanded and warned that repetition of the same or similar acts tending to unduly delay the administration of justice will be dealt with more severely.

Done in the City of Manila, this 4th day of October, in the year of Our Lord, nineteen hundred and sixty-five.

(Sgd.) DIOSDADO MACAPAGAL

By the President:
(Sgd.) SALVADOR L. MARIÑO
Acting Executive Secretary

Source: Malacañang Records Office

Office of the President of the Philippines. (1965). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 137

MODIFYING ADMINISTRATIVE ORDER NO. 306, DATED AUGUST 14, 1959,
BY CONSIDERING MR. MONICO IMPERIAL, FORMER MAYOR OF NAGA CITY,
AS RESIGNED FROM THE SERVICE.

In view of the length of service (about 27 years) rendered to the Government by the respondent, Mr. Monico Imperial, former Mayor of Naga City, I, DIOSDADO MACAPAGAL, President of the Philippines, by virtue of the powers vested in me by law, do hereby modify Administrative Order No. 306 dated August 14, 1959, terminating his services in office, by considering him as resigned from the service without prejudice to his receiving whatever rights and benefits he may be entitled to under existing laws, effective as of the date of his termination in office in connection with the administrative case against him.

Done in the City of Manila, this 4th day of October, in the year of Our Lord, nineteen hundred and sixty-five.

(Sgd.) DIOSDADO MACAPAGAL

By the President:
(Sgd.) SALVADOR L. MARIÑO
Acting Executive Secretary

Source: Malacañang Records Office

Office of the President of the Philippines. (1965). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 138
FURTHER MODIFYING ADMINISTRATIVE ORDER NO. 14 DATED MARCH 17, 1954,
CONCERNING JUDGE LUIS ORTEGA.

Judge Luis Ortega of the Court of First Instance of Laguna was required to resign under Administrative Order No. 14 dated March 17, 1954, for misconduct in office. Said order was later modified under Administrative Order No. 23 dated May 1, 1954, by considering him as having resigned, with prejudice to reinstatement and to his receiving whatever retirement benefits, if any, he might have earned, but with the right to the money value of his accumulated vacation and sick leave. He now seeks further reconsideration of the case.

Considering that this case occurred in 1951, or more than fourteen (14) years ago, for which he may be deemed to have been sufficiently punished, and that the root cause which gave rise to it was unconnected with the discharge of respondent's official duties, the prejudice to his reentry in the service may now be removed.

Wherefore, and upon the recommendation of the Acting Secretary of Justice, Administrative Order No. 14 dated March 17, 1954, is hereby further modified by considering Judge Luis Ortega as having resigned, without prejudice to his reappointment in any branch of the government service at the initiative of the appointing power.

Done in the City of Manila, this 15th day of October, in the year of Our Lord, nineteen hundred and sixty-five.

(Sgd.) DIOSDADO MACAPAGAL

By the President:
(Sgd.) SALVADOR L. MANIÑO
Acting Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1965). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 139
REMOVING MR. CONSTANCIO FERRANCO FROM OFFICE
AS PROVINCIAL TREASURER OF SAMAR.

These are two administrative cases against Mr. Constancio Ferranco, Provincial Treasurer of Samar, for various irregularities allegedly committed in the discharge of his official duties. The charges were investigated by the Department of Finance.

First Case

1. Overstocking of supplies and materials.

An examination of the trial balance of the office of the Provincial Treasurer of Samar for the period from July 1, 1960, to May 31, 1961, shows the following supplies and materials in stock:

Stationery and office supplies (A-2-1)	–	₱ 77,103.32
Other supplies and materials (A-2-5)	–	<u>43,862.52</u>
Total	–	<u>₱120,965.84</u>

Respondent explains that A-2-5 account covering the purchases of gasoline, crude oil, lubricants, tires and other spare parts is under the control and supervision of the Highway District Engineer, and as such, if no credits or adjustments have been made, the same should be attributed to the failure of the Highway District Engineer to submit the corresponding report to respondent's office. If at all, his responsibility refers only to account A-2-1 (balance of ₱77,103.32). However, he believes that the stationery and office supplies (account A-2-1) were reasonable enough to meet the needs of the province with its 59 municipalities, 4 municipal districts, 3 provincial high schools, 6 national vocational schools and a host of national offices and agencies stationed in Samar, which are being supplied by the Office of the Provincial Treasurer.

In this connection, it may be stated that for the period from July 1, 1960, to May 31, 1961, the total consumption of the province of Samar in office supplies and materials (A-2-1 and A-2-5) amounted to ₱64,064.58 only and for the fiscal year 1960, a total consumption in the same accounts amounted to ₱68,198.84. At these rates, it is evident that it will take the province of Samar almost two years to consume the balance of ₱120,965.84 in supplies and materials. Under Section 30 of the Revised Manual of Instructions to Treasurers, "the maximum quantity of office supplies and materials to be carried in stock shall not exceed that which will be needed in six months."

2. Failure to make semiannual inventory of office supplies and materials in stock.

It appears that respondent failed to make semiannual inventories of the office supplies and materials in stock for the last three (3) years. Section 899 of the Revised Manual of Instructions to Treasurers requires that "at the end of June and December of each year, a physical check and inventory

of all property shall be made by the provincial or city treasurers.” His failure to make the inventory of the supplies and materials for the years above indicated shows utter lack of interest in performing the duties required of him by existing rules and regulations.

3. Incurrence of unauthorized overdrafts.

Verification of the records of the Office of the Provincial Treasurer of Samar shows a total overdraft of ₱520,656.62 in the various funds in the custody of the respondent for the period from July 1, 1960, to May 31, 1961. As for the period ended June 1960, the total overdraft amounted to ₱294,573.13. The incurrence of said overdrafts was made without prior authority from the Secretary of Finance in violation of Section 2122 of the Revised Administrative Code.

4. Illegal use of trust funds.

Respondent admits that he disbursed trust funds in the amount of ₱1,122,505.15 for the payment of essential services in order not to disrupt the normal operation of the provincial government. This resulted in an overdraft of ₱520,656.62 in the general, health and other funds. Other trust funds in his official custody were likewise disbursed for purposes other than those for which they were specifically intended. By his own admission, respondent is guilty of violation of Section 614 of the Revised Administrative Code which provides that “trust funds shall not be paid out of any treasury except in fulfillment of the purpose for which the trust was created or fund received.”

5. Making purchases of office supplies and equipment for municipalities without the knowledge and consent of the municipal treasurers concerned.

It appears that in several instances respondent purchased supplies and equipment without securing the approval of the municipal treasurers of the municipalities for which the same were intended. Moreover, the materials and equipment were never delivered to the municipal treasurers who had supposedly requisitioned them (see letters of the Municipal Treasurers of Salcedo, Tarangnan, Capul, San Roque, Llorente, Santa Rita and Sulat, all of Samar).

In the case of the municipality of Pambujan, materials and equipment in the amount of ₱18,349.22 were billed by the province of Samar but said equipment and materials were not delivered and/or received by the office of the municipal treasurer as custodian of municipal properties. Curiously enough, the papers covering those materials were not signed by the municipal treasurer as required but by the municipal mayor or, if signed at all, the signatures of the municipal treasurers were forged (see certification of Municipal Treasurer of Pambujan, Samar, dated July 15, 1961, and report of Supervising Treasurer Kabanlit dated August 30, 1962).

Respondent’s complete disregard of the duties and functions of the municipal treasurers not only contributed to the overstocking of supplies and materials but also caused so much financial embarrassment to the municipalities concerned, as they did not have sufficient funds to pay for the supplies and materials.

Second Case

Respondent is also charged with the following irregularities:

1. Getting cash advance of ₱10,000 on December 16, 1958, and another cash advance of ₱10,000 on April 4, 1961, without liquidating the first cash advance, which was liquidated only on May 31, 1961, and deliberately failing to liquidate the second cash advance up to now, contrary to Sections 28, 29 and 192 of the Revised Manual of Instructions of Treasurers.

2. Illegal disbursement of public funds covering fictitious purchase and payment of non-existing 200 seasons charts at ₱55 each from the S. F. Samson Commercial on December 9, 1961, thereby defrauding the province of Samar of ₱11,000.

3. Purchasing one station wagon for the municipality of Catbalogan, Samar, for ₱15,000 without the corresponding requisition from the municipal treasurer, and advancing payment thereof without the necessary certificate as to availability of fund and authority to advance payment.

4. Purchasing while in Manila in March 1961 one booklet of PNB checks with Serial Nos. 993101-G to 993200-G and drawing PNB checks Nos. 993101-G to 993107-G while in Manila also during the months of March and April 1961 in the total amount of ₱183,300 covering payments of various purchases by the municipalities of Balangiga, Talalora, Daram and Catbalogan, notwithstanding the fact that at the time of purchase of said booklet, there were 14½ booklets of unused PNB checks in the possession of the provincial cashier of Samar.

5. Approving claims for and making payments of 5100 Farmer's Guide at ₱6.50 each copy and 270 Newsweek Magazine at ₱24 each copy, when the magazines cost only ₱0.65 and ₱1 each copy, respectively, or an overprice of ₱36,054.

6. Making payment of ₱5,500 covering the cost of 200 Season Charts under P.T. Voucher No. 14130 from funds specifically provided for maternity leaves, salary differentials, traveling expenses, rentals of school buildings, sewing machines and repair of equipment, contrary to Section 614 of the Revised Administrative Code and Article 220 of the Revised Penal Code.

7. Excessive purchases of athletic goods and agricultural reading materials in the total quantity of 5,630, of which 4,244 remained unused as of November 12, 1962.

8. Making double payments on one typewriter to Eleuteria Quimbo (₱775 cost price) and 600 bags of cement to Guadalupe Bagon (₱3,000 cost price), thereby defrauding the government of the sum of ₱3,775.

9. Making advance payments in the total amount of ₱13,518.91 for purchases made by the municipal mayors of Daram, Tarangnan, Gamay, Salcedo and San Roque, Samar, without the required requisitions of the municipal treasurers thereof. Said advance payments could not be paid by those municipalities for lack of appropriations and funds. As of June 30, 1962, the total unpaid accounts receivable of the province of Samar representing advance payments amounted to ₱269,142.83.

10. Contracting obligations with the Bureau of Supply Coordination amounting to ₱146,107.74 without the corresponding appropriations and funds for the purpose.

In his letter dated December 6, 1962, the Secretary of Finance required respondent to submit within 72 hours a written explanation why no administrative disciplinary action should be taken against him for the irregularities mentioned above. In reply, respondent requested an extension of 30 days within which to answer the charges, which request was duly granted. On January 7, 1963, he asked for another extension of 30 days, and in its reply of the same date, the Department of Finance gave him up to January 24, 1963, to submit the required explanation. However, on January 23, 1963, Mr. Macario R. Mendoza, for and in behalf of respondent, wrote the Department of Finance seeking further extension of 60 days from January 24, 1963. The Department of Finance, however, gave him not later than 5 P.M. of the same date to file his reply. However, no such reply appears to have been submitted by respondent.

Considering the seriousness of the case, and taking into account the fact that each of the foregoing charges is supported with documentary evidence and the further fact that respondent was duly advised that his failure to submit his explanation as called for would be taken as a tacit admission of his

guilt and a waiver on his part of defending himself personally or by counsel, the Secretary of Finance recommends that respondent be dismissed for cause. I agree with the recommendation. Respondent's flagrant and repeated violations of existing laws, rules and regulations clearly show his irresponsibility and incapacity to properly discharge the duties of so important and responsible an office as that of provincial treasurer.

Wherefore, Mr. Constancio Ferranco is hereby dismissed from the service, effective upon receipt of a copy of this order.

Done in the City of Manila, this 15th day of October, in the year of Our Lord, nineteen hundred and sixty-five.

(Sgd.) DIOSDADO MACAPAGAL

By the President:

(Sgd.) SALVADOR L. MARIÑO

Acting Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1965). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 140
CONDONING BACK RENTALS DUE FROM TENANTS AND OCCUPANTS
OF THE TUNASAN HOMESITE IN SAN PEDRO, LAGUNA.

WHEREAS, the Tunasan Homesite was purchased by the Government in 1939 for subdivision and distribution to bona-fide tenants and occupants and other qualified landless individuals of the country with the end in view of resolving the social unrest then prevailing in Laguna due to the refusal of the tenants and occupants to recognize the title of the Colegio de San Jose over the estate;

WHEREAS, the tenants and occupants insistently claimed ownership of the areas actually occupied by them and refused to enter into any agreement to sell or contract to sell with the Government which expropriated the property in 1939, and it was only after the completion of the survey of the land in 1955, or after the elapse of sixteen years from the date of expropriation, that they entered into agreements to sell or contracts to sell over their landholdings with the Bureau of Lands;

WHEREAS, in the computation of the selling price of the farm lots or residential lots by the Bureau of Lands accumulated rentals and interests thereon were added, although the Government did not actually pay interest on the money used in buying the Tunasan Homesite as it was an appropriation duly provided for in Commonwealth Act No. 20, as amended;

WHEREAS, the imposition of said rentals on the occupants and tenants of the estate has resulted in the institution of landlord-tenant relationship which is not in accordance with the intent and spirit of the Constitution and Commonwealth Act No. 20, as amended; and

WHEREAS, the failure of the tenants and occupants to pay rentals was due partly to their justified conviction that they were to pay the land at cost and not for the use thereof, since the Tunasan Homesite was purchased by the Government in their behalf.

NOW, THEREFORE, I, DIOSDADO MACAPAGAL, President of the Philippines, by virtue of the powers vested in me by law, and the best interest of the Government so requiring, do hereby order:

That the outstanding rentals of lessees, bona-fide tenants and occupants found qualified under the law, rules and regulations to acquire lands in the Tunasan Homesite, San Pedro, Laguna, as well as rentals in arrears and interest thereon of promisees in agreements to sell, are hereby condoned and said persons relieved therefrom.

Done in City of Manila, this 27th day of October, in the year of Our Lord, nineteen hundred and sixty-five.

(Sgd.) DIOSDADO MACAPAGAL

By the President:
(Sgd.) SALVADOR L. MARIÑO
Acting Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1965). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 141
CONDONING ADVANCES MADE TO SETTLERS COMMONLY KNOWN
AS SETTLERS' ACCOUNT, BY THE LASEDECO AND/OR ITS PREDECESSORS.

WHEREAS, pursuant to Republic Act No. 422, the Land Settlement and Development Company (LASEDECO) was created by Executive Order No. 355, series of 1950, to facilitate the acquisition, settlement and cultivation of agricultural lands, to afford opportunity to landless tenants and small farmers to own farms and to encourage migration to sparsely populated regions;

WHEREAS, to carry out the aforesaid objectives, all surveyed portions of the public agricultural lands reserved for the National Land Settlement Administration and the Rice Production Administration of the National Development Company were ceded by way of grant from the Republic of the Philippines to the LASEDECO as its corporate capital;

WHEREAS, under Republic Act No. 1160 creating the National Resettlement and Rehabilitation Administration (NARRA) and abolishing the LASEDECO, it is the declared policy of Congress to expedite the free distribution of agricultural lands to qualified landless tenants and farm workers;

WHEREAS, in the award of home lots and/or farm lots to the settlers by the LASEDECO and/or its predecessors, administration charges, survey fees, allocation fees and settlers' accounts were charged against the settlers which earned yearly interest upon the settlers' failure to pay them on time; and

WHEREAS, the settlers' accounts, consisting of advances made by the LASEDECO to the settlers, such as building materials, work animals, agricultural implements, food, machinery, supplies and other expenses, and the interest therein have grown to such proportion beyond the capacity of the settlers to pay, and their failure to pay has hampered the issuance of patents and/or titles to the land awarded to them, thus defeating the primordial policy of the government to give land to the landless.

NOW, THEREFORE, I, DIOSDADO MACAPAGAL, President of the Philippines, by virtue of the powers vested in me by law, and the best interests of the Government so requiring, do hereby order:

That the outstanding accounts of settlers, known as settlers' accounts, consisting of advances made by the LASEDECO and/or its predecessors before its abolition on June 18, 1954, and the interests thereon are hereby condoned and said persons relieved therefrom: Provided, however, That nothing herein contained shall relieve the National Development Company from paying the accounts of settlers for lands it acquired pursuant to the Memorandum Agreement between it and the Board of Liquidators dated April 5, 1965.

Done in the City of Cotabato, this 2nd day of November, in the year of Our Lord, nineteen hundred and sixty-five.

(Sgd.) DIOSDADO MACAPAGAL

By the President:
(Sgd.) SALVADOR L. MARIÑO
Acting Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1965). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 142
CONDONING BACK RENTALS DUE FROM TENANTS AND OCCUPANTS
OF THE LIAN ESTATE IN LIAN, BATANGAS.

WHEREAS, the Lian Estate was purchased by the Government in 1951 for subdivision and distribution to bona fide tenants, occupants and other qualified landless individuals of the country with the end in view of resolving the social unrest then prevailing in the Batangas due to the refusal of the tenants and occupants to recognize the title of the Colegio de San Jose over the estate;

WHEREAS, the tenants and occupants insistently claimed ownership of the areas actually occupied by them and refused to enter into any agreement to sell or contract to sell with the Government which expropriated the property in 1941, and it was only in 1951, or after the lapse of ten years from the date of expropriation, that they entered into agreements to sell and contracts to sell over their landholdings with the Bureau of Lands;

WHEREAS, in the computation of the selling price of the farm lots and residential lots by the Bureau of Lands accumulated rentals and interests thereon were added, although the Government did not actually pay interest on the money used in buying the Lian Estate, as it was an appropriation provided for in Commonwealth Act No. 539;

WHEREAS, the imposition of said rentals on the tenants and occupants of the estate has resulted in the institution of landlord-tenant relationship which is not in accordance with the intent and spirit of the Constitution and Commonwealth Act No. 539; and

WHEREAS, the failure of the tenants and occupants to pay the rentals was due partly to their justified conviction that they were to pay the land at cost and not for the use thereof, since the Lian Estate was purchased by the Government in their behalf.

NOW, THEREFORE, I, DIOSDADO MACAPAGAL, President of the Philippines, by virtue of the powers vested in me by law, and the best interest of the Government so requiring, do hereby order:

That the outstanding rentals of lessees, bona fide tenants and occupants found qualified under the law, rules and regulations to acquire lands in the Lian Estate, Lian, Batangas, as well as rentals in arrears and interest thereon of promisees in agreements to sell, are hereby condoned and said persons relieved therefrom.

Done in the City of Manila, this 7th day of November, in the year of Our Lord nineteen hundred and sixty-five.

(Sgd.) DIOSDADO MACAPAGAL

By the President:
(Sgd.) SALVADOR L. MARIÑO
Acting Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1965). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 143
CONDONING BACK RENTALS DUE FROM TENANTS AND OCCUPANTS
OF THE LUISITA ESTATE IN THE PROVINCE OF TARLAC.

WHEREAS, the Luisita Estate situated in the municipalities of Concepcion, La Paz and Tarlac, province of Tarlac, was purchased by the government for subdivision and distribution to bona fide tenants and occupants and other qualified landless individuals;

WHEREAS, the acquisition of subject estate was in accordance with the provisions of the Constitution and Commonwealth Act No. 539 authorizing the acquisition by the government of big landed estates for subdivision into farm and residential lots for resale at cost to qualified persons;

WHEREAS, in the computation of the selling price of farm and residential lots, rentals and interests thereon from the date of the acquisition of the estate were added to the cost of the land;

WHEREAS, in view of the huge amount of accumulated rentals and interests, the tenants and other qualified persons became lukewarm to execute the corresponding agreements to sell over the lots occupied by them;

WHEREAS, the imposition of said rentals and interests on the tenants and occupants of the estate has resulted in the institution of landlord-tenant relationship which is not in accordance with the intent and spirit of the Constitution and Commonwealth Act No. 539; and

WHEREAS, the failure of the tenants and occupants to pay the rentals and interests was due partly to their justified conviction that they were to pay for the land at cost and not for the use thereof, since the estate was purchased by the government in their behalf.

NOW, THEREFORE, I, DIOSDADO MACAPAGAL, President of the Philippines, by virtue of the powers vested in me by law and the best interests of the government so requiring, do hereby order:

That the outstanding rentals of bona fide tenants, occupants and other qualified persons under the law, rules and regulations to acquire farm and residential lots in the Luisita Estate and rentals in arrears and interests thereon of promisees in agreements to sell are hereby condoned and said persons relieved therefrom.

Done in Tarlac, Tarlac, this 8th day of November, in the year of Our Lord nineteen hundred and sixty-five.

(Sgd.) DIOSDADO MACAPAGAL

By the President:
(Sgd.) SALVADOR L. MARIÑO
Acting Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1965). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 144

CALLING UPON THE EXECUTIVE DEPARTMENTS, GOVERNMENT CORPORATIONS,
REGIONAL DEVELOPMENT AUTHORITIES, CHARTERED CITIES AND OTHER LOCAL
GOVERNMENTS TO CONSULT WITH THE NATIONAL ECONOMIC COUNCIL ON
ECONOMIC POLICIES, PLANS AND PROGRAMS.

WHEREAS, under Reorganization Plan No. 10, the functions, powers, duties and responsibilities of the National Economic Council are, among others, defined as follows:

“Formulate definite and consistent national economic policies and prepare comprehensive economic and social development programs which, when approved by the President and, if necessary, by Congress, shall be implemented by government executive departments, government corporations, government financial institutions, chartered cities, and other local governments. Plans and programs shall be formulated in component parts, each part to contain those items which each respective government entity—department, bank, financial institution, corporation, etc.—shall have the responsibility for implementing. Likewise, items which require implementation by private enterprise shall be formulated as component parts of the integrated plans or programs”;

This order shall not be interpreted to affect the status and functions of the Program Implementation Agency. The Program Implementation Agency shall continue to constitute the advisory and implemental staff of the President on economic matters through which the results of any such consultation with the NEC herein provided shall be coursed for the action of the President.

NOW, THEREFORE, I, DIOSDADO MACAPAGAL, President of the Philippines, by virtue of the powers vested in me by law, do hereby direct all concerned to consult with and sound out the National Economic Council on proposed economic policies, plans and programs within their respective spheres of activity and organization, before announcing, implementing and submitting the same to the President for consideration and final approval.

Done in the City of Manila, this 12th day of November, in the year of Our Lord, nineteen hundred and sixty-five.

(Sgd.) DIOSDADO MACAPAGAL

By the President:
(Sgd.) SALVADOR L. MARIÑO
Acting Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1965). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 145

DIRECTING STRICT ADHERENCE TO THE PROVISIONS OF EXECUTIVE ORDER NO. 18,
SERIES OF 1946, REGARDING THE NEGOTIATION OF TREATIES, CONVENTIONS,
AND OTHER AGREEMENTS OF SIMILAR FORCE.

WHEREAS, Section 2 of Commonwealth Act 73, entitled “An Act to Create the Department of Foreign Affairs and to Authorize the President of the Philippines to Organize said Department as well as the Foreign Service of the Philippines,” provides that:

“The Department of Foreign Affairs shall have responsibility for the coordination and execution of the Republic of the Philippines and the conduct of its foreign relations and shall perform such other functions as may be assigned to it by law or by the President relating to the conduct of foreign relations of the Republic of the Philippines”;

WHEREAS, in implementation of the provisions of said law, Executive Order No. 18, was issued on September 16, 1946, providing in part as follows:

“(1) The Department of Foreign Affairs shall have the responsibility for the coordination and execution of the foreign policies of the Republic of the Philippines and the conduct of its foreign relations and shall perform such other functions as may be assigned to it by law or by the President relating to the conduct of the foreign relations of the Republic of the Philippines.

“(2) The Secretary of Foreign Affairs shall be responsible to the President for formulating and carrying into effect the foreign policy of the Republic of the Philippines; for the conduct of its foreign relations; for the negotiation of treaties, conventions, and other agreements of similar force;

WHEREAS, it has been observed that the provisions of Executive Order No. 18 quoted above have not been closely adhered to, and that some treaties and agreements have been concluded between the Philippines and other countries or international organizations without notification to, consultation with, or the participation of, the Department of Foreign Affairs; and

WHEREAS, subject to the approval, supervision and control of the President, the negotiation of treaties, conventions and other international agreements of similar force should always be conducted and coordinated by the Secretary of Foreign Affairs;

NOW, THEREFORE, I, DIOSDADO MACAPAGAL, President of the Philippines, by virtue of the powers vested in me by law, do hereby direct every department, bureau, office, dependency or agency of the Government—

- (1) To adhere strictly to the provisions of Executive Order No. 18 dated September 16, 1946;
- (2) To notify, consult with and obtain the participation of the Department of Foreign Affairs in negotiations relative to the conclusion of a treaty or any international agreement with a foreign state or an international organization;
- (3) To submit all proposed treaties, agreements or conventions to the Secretary of Foreign Affairs, who has the responsibility of forwarding the same with his comments and recommendations to the President for consideration; and
- (4) To transmit the original signed copies of all treaties, agreements and conventions which are now or might hereafter be in the custody of any other department, bureau, office, dependency or agency of the Government to the Department of Foreign Affairs for further action and for safekeeping as the official repository of the Philippines for instruments of this nature.

Done in the City of Manila, this 12th day of November, in the year of Our Lord, nineteen hundred and sixty-five.

(Sgd.) DIOSDADO MACAPAGAL

By the President:

(Sgd.) SALVADOR L. MARIÑO

Acting Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1965). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 146

FURTHER AMENDING ADMINISTRATIVE ORDER NO. 262, SERIES OF 1958, AS AMENDED
BY ADMINISTRATIVE ORDER NO. 78, SERIES OF 1963, STANDARDIZING SALARIES OF
RANKING POSITIONS IN THE PROVINCIAL, CITY AND MUNICIPAL GOVERNMENTS.

Pursuant to the provisions of Paragraph 4, Executive Order No. 405, series of 1951, implementing Section 3, Executive Order No. 383, series of 1950, and upon recommendation of the Secretary of Finance, I, DIOSDADO MACAPAGAL, President of the Philippines, do hereby prescribe the following standard rates of compensation for ranking positions in the provincial, city and municipal governments not otherwise fixed by law.

	Classes of Provinces						
	1st	2nd	3rd	4th	5th	6th	7th
1. OFFICE OF THE PROV. GOVERNOR							
Executive Assistant	8400	7200	6300	5520	5220	4920	4680
Chief Clerk or Adm. Officer	7800	6900	6000	5400	5100	4800	4560
Private Secretary	6300	5520	5220	4920	4680	4440	4200
Asst. Private Secretary	4680	4440	4200	4020	3840	3660	3540
Deputy Governor or Agent	4200	4020	3840	3660	3540	3360	3180
Chief of Division	7200	6300	5520	5220	4920	4680	4440
Asst. Chief of Division	5520	5220	4920	4680	4440	4200	4020
Chief of Section	5220	4920	4680	4440	4200	4020	3840
Asst. Chief of Section	4920	4680	4440	4200	4020	3840	3660
JAIL							
Warden	4680	4440	4200	4020	3840	3660	3540
Lieutenant	3540	3360	3180	3060	2940	2820	2700
Sergeant	3360	3180	3060	2940	2820	2700	2580
Private	3060	2940	2820	2700	2580	2400	2280
OFFICE OF THE PROVINCIAL BOARD							
Secretary	10200	9300	8700	8400	8100	7800	7500
Private Secretary	5520	5220	4920	4680	4440	4200	4020
2. OFFICE OF THE PROV. TREASURER							
Administrative Deputy	8400	7200	6300	5520	5220	4920	4680
Senior Deputy (Supvg. Deputy)	7200	6300	5520	5220	4920	4680	4440
Junior Deputy	5520	5220	4920	4680	4440	4200	4020
Budget Examiner	6300	5520	5220	4920	4680	4440	4200
Market Administrator	6300	5520	5220	4920	4680	4440	4200

<u>Chief of Division</u>							
Accounting	7200	6300	5520	5220	4920	4680	4440
Cash	7200	6300	5520	5220	4920	4680	4440
Property	7200	6300	5520	5220	4920	4680	4440
Land Tax	7200	6300	5520	5220	4920	4680	4440
Correspondence & Records	6300	5520	5220	4920	4680	4440	4200
License & Fees	6300	5520	5220	4920	4680	4440	4200
Asst. Chief of Division	5520	5220	4920	4680	4440	4200	4020
Chief of Section	5220	4920	4680	4440	4200	4020	3840
Asst. Chief of Section	4920	4680	4440	4200	4020	3840	3660
<u>3. OFFICE OF THE PROV. AUDITOR</u>							
Senior Clerk	8400	7200	6300	5520	5220	4920	4680
<u>Chief of Division</u>							
Provincial	7200	6300	5520	5220	4920	4680	4440
Municipal	7200	6300	5520	5220	4920	4680	4440
Post Audit	7200	6300	5520	5220	4920	4680	4440
Miscellaneous	7200	6300	5520	5220	4920	4680	4440
Asst. Chief of Division	5520	5220	4920	4680	4440	4200	4020
Chief of Section	5220	4920	4680	4440	4200	4020	3840
Asst. Chief of Section	4920	4680	4440	4200	4020	3840	3660
<u>4. OFFICE OF THE PROV. ASSESSOR</u>							
Chief Deputy Assessor	8400	7200	6300	5520	5220	4920	4680
Senior Deputy Assesor	7200	6800	5520	5220	4920	4680	4440
Junior Deputy Assessor	5520	5220	4920	4680	4440	4200	4020
<u>Chief of Division</u>							
Land Appraisal	7200	6300	5520	5220	4920	4680	4440
Building Appraisal	7200	6300	5520	5220	4920	4680	4440
Surveying & Tax Mapping	7200	6300	5520	5220	4920	4680	4440
Research & Statistics	7200	6300	5520	5220	4920	4680	4440
Asst. Chief of Division	5520	5220	4920	4680	4440	4200	4020
Chief of Section	5220	4920	4680	4440	4200	4020	3840
<u>5. OFFICE OF THE HIGHWAY ENGINEER</u>							
Chief Clerk or Adm. Officer	7200	6300	5520	5220	4920	4680	4440
<u>Chief of Division</u>							
Accounting	5220	4920	4680	4440	4200	4020	3840
Property	5220	4920	4680	4440	4200	4020	3840
Correspondence & Records	4920	4680	4440	4200	4020	3840	3660
Asst. Chief of Division	4020	3840	3660	3540	3360	3180	3060
Chief of Section	3660	3540	3360	3180	3060	2940	2820
<u>6. OFFICE OF THE PROV. HEALTH OFFICER</u>							
Chief Clerk of Adm. Officer	7200	6300	5520	5220	4920	4680	4440
Nurse Supervisor	5220	4920	4680	4440	4200	4020	3840
Chief Sanitary Inspector	4680	4440	4200	4020	3840	3660	3540
Asst. Sanitary Inspector	3660	3540	3360	3180	3060	2940	2820

7. OFFICE OF THE PROVINCIAL FISCAL

Chief Clerk or Adm. Officer	7200	6300	5520	5220	4920	4680	4440
Asst. Chief Clerk or Asst. Adm. Officer	6300	5520	5220	4920	4680	4440	4200

8. BRANCH LIBRARY

Branch Librarian	6300	5520	5220	4920	4680	4440	4200
Asst. Branch Librarian	5520	5220	4920	4680	4440	4200	4020

CITY GOVERNMENTS

1. OFFICE OF THE CITY MAYOR

	I-A	1st	2nd	3rd	4th	5th	6th	7th
Executive Assistant	8400	7200	6300	5520	5220	4920	4680	4440
Chf. Clerk or Adm. Deputy	7800	6900	6000	5400	5100	4800	4560	4200
Private Secretary	6300	5520	5220	4920	4680	4440	4200	4020
Asst. Private Secretary	4680	4440	4200	4020	3840	3660	3540	3360
Mayor's Deputy or Agent	4200	4020	3840	3660	3540	3360	3180	3060
Chief of Division	7200	6300	5520	5220	4920	4680	4440	4200
Asst. Chief of Division	5520	5220	4920	4680	4440	4200	4020	3840
Chief of Section	5220	4920	4680	4440	4200	4020	3840	3660
Asst. Chief of Section	4920	4680	4440	4200	4020	3840	3660	3540

2. OFFICE OF THE CITY TREASURER

Administrative Deputy	8400	7200	6300	5520	5220	4920	4680	4440
Senior Deputy	7200	6300	5520	5220	4920	4680	4440	4200
Junior Deputy	5520	5220	4920	4680	4440	4200	4020	3840
<u>Chief of Division</u>								
Accounting	7200	6300	5520	5220	4920	4680	4440	4200
Cash	7200	6300	5520	5220	4920	4680	4440	4200
Property	7200	6300	5520	5220	4920	4680	4440	4200
Land Tax	7200	6300	5520	5220	4920	4680	4440	4200
City License & Fees	7200	6300	5520	5220	4920	4680	4440	4200
Market & Slaughterhouse	7200	6300	5520	5220	4920	4680	4440	4200
Correspondence & Records	6300	5520	5220	4920	4680	4440	4200	4020
Asst. Chief of Division	5520	5220	4920	4680	4440	4200	4020	3840
Chief of Section	5220	4920	4680	4440	4200	4020	3840	3660
Asst. Chief of Section	4920	4680	4440	4200	4020	3840	3660	3540

3. OFFICE OF THE CITY AUDITOR

Senior Clerk	8400	7200	6300	5520	5220	4920	4680	4440
Chief of Division	7200	6300	5520	5220	4920	4680	4440	4200
Asst. Chief of Division	5520	5220	4920	4680	4440	4200	4020	3840
Chief of Section	5220	4920	4680	4440	4200	4020	3840	3660
Asst. Chief of Section	4920	4680	4440	4200	4020	3840	3660	3540

4. OFFICE OF THE CITY ASSESSOR

Chief Deputy Assessor	8400	7200	6300	5520	5220	4920	4680	4440
Senior Deputy Assessor	7200	6300	5520	5220	4920	4680	4440	4200
Junior Deputy Assessor	5520	5220	4920	4680	4440	4200	4020	3840

<u>Chief of Division</u>								
Land Appraisal	7200	6300	5520	5220	4920	4680	4440	4200
Building Appraisal	7200	6300	5520	5220	4920	4680	4440	4200
Surveying & Tax Mapping	7200	6300	5520	5220	4920	4680	4440	4200
Research & Statistics	7200	6300	5520	5220	4920	4680	4440	4200
Asst. Chief of Division	5520	5220	4920	4680	4440	4200	4020	3840
Chief of Section	5220	4920	4680	4440	4200	4020	3840	3660
5. OFFICE OF THE CITY ENGINEER								
Chf. Clerk or Adm. Officer	7200	6300	5520	5220	4920	4680	4440	4200
<u>Chief of Division</u>								
Accounting	5220	4920	4680	4440	4200	4020	3840	3660
Property	5220	4920	4680	4440	4200	4020	3840	3660
Correspondence & Records	4920	4680	4440	4200	4020	3840	3660	3540
Asst. Chief of Division	4020	3840	3660	3540	3360	3180	3060	2940
Chief of Section	3660	3540	3360	3180	3060	2940	2820	2700
6. OFFICE OF THE CITY HEALTH OFFICER								
Chf. Clerk or Adm. Officer	7200	6300	5520	5220	4920	4680	4440	4200
Nurse Supervisor	5220	4920	4680	4440	4200	4020	3840	3660
Chief, Sanitary Inspector	4680	4440	4200	4020	3840	3660	3540	3360
Asst. Sanitary Inspector	3660	3540	3360	3180	3060	2940	2820	2700
7. OFFICE OF THE CITY FISCAL								
Chf. Clerk or Adm. Officer	7200	6300	5520	5220	4920	4680	4440	4200
Asst. Chf. Clk. or Asst. Adm. Officer	6300	5520	5220	4920	4680	4440	4200	4020
8. BRANCH LIBRARY								
Branch Librarian	6300	5520	5220	4920	4680	4440	4200	4020
Asst. Branch Librarian	5520	5220	4920	4680	4440	4200	4020	3840

MUNICIPAL GOVERNMENTS

The maximum rates of salary of municipal attorneys and assistant municipal treasurers shall be the same as those of the municipal secretaries as fixed in Republic Act No. 4358.

The maximum rates herein prescribed shall be authorized only for provinces, cities and municipalities which have not exceeded in their appropriations for salaries and wages in accordance with the limitations prescribed in Section 5 of Republic Act No. 4477 and Section 4 of Republic Act No. 2368, and have fully implemented the Minimum Wage Law (Republic Act No. 4180). If the salaries of the present incumbents of the positions mentioned above should be reduced on account of the application of the above schedule, the said incumbents shall continue to receive their present salaries until their successors are appointed.

New positions to be created in the different offices of the province and city shall be given salary rate one grade lower than the lowest position authorized for each office, provided the salary rate authorized for the lowest position in one grade higher than ₱2160 per annum.

This Order shall not be made applicable to the cities of Manila, Quezon, Caloocan, Pasay and Baguio.

This amends Administrative Order No. 78, series of 1963.

This Order takes effect as of July 1, 1965.

Done in the City of Manila, this 23rd day of November, in the year of Our Lord, nineteen hundred and sixty-five.

(Sgd.) DIOSDADO MACAPAGAL

By the President:

(Sgd.) SALVADOR L. MARIÑO

Acting Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1965). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 147
CONDONING BACK RENTALS DUE FROM TENANTS AND OCCUPANTS
OF THE BAHAY PARE ESTATE IN THE PROVINCE OF PAMPANGA.

WHEREAS, the Bahay Pare Estate in the municipality of Candaba, province of Pampanga, was purchased by the government for subdivision and distribution to bona fide tenants, occupants and other qualified landless individuals;

WHEREAS, the acquisition of said estate was in accordance with the provisions of the Constitution and Commonwealth Act No. 539, authorizing the acquisition by the government of big haciendas for subdivision into farm lots and residential lots for resale at cost to qualified persons;

WHEREAS, in the computation of the selling price of such lots rentals and interests thereon were added to the cost of the land by the defunct Rural Progress Administration and the Bureau of Lands;

WHEREAS, the imposition of said rentals and interests has resulted in the institution of landlord-tenant relationship which is not in accordance with the intent and spirit of the Constitution and Commonwealth Act No. 539; and

WHEREAS, the failure of the tenants and occupant to pay the rentals and interests was due partly to their justified conviction that they were to pay the land at cost and not for the use thereof, since the Bahay Pare Estate was purchased by the government in their behalf.

NOW, THEREFORE, I, DIOSDADO MACAPAGAL, President of the Philippines, by virtue of the powers vested in me by law, and the best interests of the government so requiring, do hereby order:

That the outstanding rentals of bona fide tenants, occupants other qualified persons on farm lots and residential lots in the Bahay Pare Estate, Candaba, Pampanga, and the rentals in arrears and interests thereon of promisees in agreements to sell are hereby condoned and said persons relieved therefrom.

Done in the City of Manila, this 23rd day of November, in the year of Our Lord nineteen hundred and sixty-five.

(Sgd.) DIOSDADO MACAPAGAL

By the President:

(Sgd.) SALVADOR L. MARIÑO

Acting Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1965). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 148

MODIFYING ADMINISTRATIVE ORDER NO. 236 DATED MARCH 29, 1957, CONCERNING
FORMER JUDGE PASCUAL SANTOS OF THE COURT OF FIRST INSTANCE OF MASBATE.

Under Administrative Order No. 236 dated March 29, 1957, Judge Pascual Santos of the Court of First Instance of Masbate was required to resign for (1) falsely certifying, in the monthly statements submitted by him which were required for the collection of his salary, that cases of all kinds submitted to him for decision or determination for a period of 90 days or more had been disposed of and (2) approving and signing false monthly reports of his clerk of court that he had no cases pending decision for 90 days or more. He has sought reconsideration of the decision to enable him to receive whatever benefits he might be entitled to under the law.

It appears that prior to his separation respondent had rendered more than 37 years of service to the government; that except for the specific instances involved in the administrative case under consideration he had shown marked efficiency and was even commended by the press for being one of the ten judges with the greatest number of decisions affirmed by the appellate courts from 1951 to 1953; and that but for said administrative case he could have been entitled to the benefits of automatic retirement under Republic Act No. 660 in May 1957 for being 65 years old.

In view of the above circumstances in respondent's favor, and upon the recommendation of the Secretary of Justice, Administrative Order No. 236 dated March 29, 1957, is hereby modified in the sense that the resignation of Judge Pascual Santos is considered as without prejudice to his receiving whatever benefits he may be entitled to under the laws then in force.

Done in the City of Manila, this 24th day of November, in the year of Our Lord, nineteen hundred and sixty-five.

(Sgd.) DIOSDADO MACAPAGAL

By the President:
(Sgd.) SALVADOR L. MARIÑO
Acting Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1965). [*Administrative Order Nos.: 1 - 191*]. Manila: Malacañang Records Office.

MALACANANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 149
SUSPENDING MR. FACUNDO T. PALAFOX FROM OFFICE AS MUNICIPAL JUDGE
OF BANI, PANGASINAN.

This is an administrative case against Municipal Judge Facundo T. Palafox of Bani, Pangasinan, for (1) failing to render professional services for which he was paid ₱100 nor to return the amount, (2) performing a marriage ceremony for ₱25 but no marriage certificate was issued nor the marriage registered and (3) using official envelopes and postage stamps for private purposes.

The charges were investigated by the District Judge who recommended that respondent be exonerated on the first count and reprimanded on the others. The recommendation on count 1 is well taken, it appearing that the amount of ₱100 received by respondent from Mrs. Marcelina Castrence was a retainer fee while he was still a private practitioner and that he rendered professional services to her. However, I believe he deserves a stiffer penalty on the other counts.

As to count 2, the evidence shows that on August 14, 1951, respondent was consulted on how a Chinese named Ong Kuan @ Jose Sy could marry one Esperanza Ortaleza, and he suggested that a marriage license be secured. He was asked to prepare the requisite papers which were later filed with the municipal treasurer of Bani. For his services he was paid ₱25. On August 20, 1951, he was invited to perform the marriage ceremony but would not do so because the prospective couple could not produce a marriage license. The license, it turned out, could not be issued because the Chinese consul had not issued a certificate of legal capacity for the Chinaman. Respondent would not go ahead even when he was offered ₱50.

It was grossly unethical or even illegal for the respondent to accept compensation for his alleged services in preparing an application for a marriage license and the supporting affidavits. He should have informed the parties that the local civil registrar would prepare those documents without charge under Article 69 of the Civil Code. And he could also have saved them unnecessary inconvenience if he had informed them that an alien desiring to contract marriage must have a certificate of legal capacity from the diplomatic or consular official of his country in accordance with Article 66 of the same Code. By his conduct, the respondent was either ignorant of the law or took advantage of the ignorance of the parties for his personal gain, both equally reprehensible.

Under the third and last count, it appears that two private mail matters sent by respondent to Attys. Macaraeg and Sison and Atty. Marcelino T. Macaraeg of Lingayen, Pangasinan, were contained in envelopes of the Justice of the Peace of Bani, Pangasinan, with official business (O.B.) stamps affixed thereto. Respondent's official correspondence used to be picked up by a clerk from the treasurer's office where the requisite O.B. stamps were affixed.

Respondent contends that his private mails must have been picked up by mistake, although he probably contributed thereto by leaving them where they were mistaken for official ones. This shows that respondent was negligent in the care of his private and official correspondence, as a result of which letters which he used in his private legal practice were affixed with stamps for official business and treated as official matters.

Wherefore, Mr. Facundo T. Palafox is hereby suspended from office for one (1) month without pay, reprimanded and warned that commission of similar irregularities will be dealt with more severely.

Done in the City of Manila, this 29th day of November, in the year of Our Lord, nineteen hundred and sixty-five.

(Sgd.) DIOSDADO MACAPAGAL

By the President:

(Sgd.) SALVADOR L. MARIÑO

Acting Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1965). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 150
CONDONING THE BACK RENTALS DUE FROM TENANTS AND OCCUPANTS
OF THE YUZON ESTATE IN THE PROVINCE OF NUEVA ECIJA.

WHEREAS, the Yuzon Estate in the Municipality of Jaen, province of Nueva Ecija, was purchased by the Government with the end in view of subdividing the same for distribution to bona-fide occupants or tenants and other qualified landless individuals;

WHEREAS, the acquisition of said landed estate was in accordance with the provision of the Constitution and laws authorizing the acquisition by the Government of landed estates for subdivision into home lots and resale at cost to qualified persons; and

WHEREAS, the inability of the tenants and occupants to pay the rentals was due partly to economic difficulties and crop failures, apart from their conviction that they were to pay for the cost of the land and not for the use thereof, since the estate was precisely purchased by the Government in their behalf;

NOW, THEREFORE, I, DIOSDADO MACAPAGAL, President of the Philippines, by virtue of the powers vested in me by law, and the best interest of the Government so requiring, do hereby order:

That the outstanding rentals and/or interests due from lessees, bona-fide tenants and occupants found qualified under the law, rules and regulations to acquire lands in the Yuzon Estate are hereby condoned and said persons relieved therefrom.

Done in the 29th day of November, in the year of Our Lord, nineteen hundred and sixty-five.

(Sgd.) DIOSDADO MACAPAGAL

By the President:

(Sgd.) SALVADOR L. MARIÑO

Acting Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1965). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 151

**AUTHORIZING THE MABINI INSURANCE AND FIDELITY COMPANY, INC.
TO BECOME A SURETY UPON OFFICIAL RECOGNIZANCES, STIPULATIONS,
BONDS AND UNDERTAKINGS.**

WHEREAS, Section 1 of Act No. 536, as amended by Act No. 2206, provides that whenever any recognizance, stipulation, bond or undertaking conditioned for the faithful performance of any duty or any contract made with any public authority, national, provincial, municipal, or otherwise, or any undertaking, or for the doing or refraining from doing anything in such recognizance, stipulation, bond or undertaking specified is, by the laws of the Philippines, or by the regulations or resolutions of any public authority therein, required or permitted to be given with one surety or with two or more sureties, the execution of the same or the guaranteeing of the performance of the condition thereof shall be sufficient when executed or guaranteed solely by any corporation organized under the laws of the Philippines, having power to guarantee the fidelity of persons holding positions of public or private trust to execute and guarantee bonds or undertakings, in judicial proceedings and to agree to the faithful performance of any contract or undertaking made with any public authority;

WHEREAS, said section further provides that no head of department, court, judge, officer, board, or body executive, legislative, or judicial shall approve or accept any corporation as surety on any recognizance, stipulation, bond, contract or undertaking, unless such corporation has been authorized to do business in the Philippines in the manner provided by the provisions of said Act No. 536, as amended, nor unless such corporations has, by contract with the Government of the Philippines, been authorized to become a surety upon official recognizances, stipulations, bonds and undertakings; and

WHEREAS, THE MABINI INSURANCE AND FIDELITY COMPANY, INC., is a domestic corporation organized and existing under the laws of the Republic of the Philippines and fulfills the conditions prescribed by said Act No. 536, as amended;

NOW, THEREFORE, I, DIOSDADO MACAPAGAL, President of the Philippines, by virtue of the powers vested in me by law, do hereby authorize THE MABINI INSURANCE AND FIDELITY COMPANY, INC., to become a surety upon official recognizances, stipulations, bonds, and undertakings in such manner and under such conditions as are provided by law, subject however, to the conditions that the amount constituting the contributed surplus fund shall not at any time be withdrawn and paid back in cash to the contributing stockholders without prior recommendation and justification by the Insurance Commissioner duly approved by the Secretary of Finance, and that the moment THE MABINI INSURANCE AND FIDELITY COMPANY, INC., becomes indebted to any government instrumentality or political subdivision thereof, or to any government-owned or controlled corporation in the total amount of ₱50,000.00 accruing from the issuance of bonds, the same having been due and demandable, the insurance company must voluntarily desist from writing or issuing all kinds of government bonds until the outstanding liabilities in government bonds have been fully paid or settled. Non-payment of liabilities shall be a cause for immediate revocation of the Administrative Order.

Done in the City of Manila, this 29th day of November, in the year of Our Lord, nineteen hundred and sixty-five.

(Sgd.) DIOSDADO MACAPAGAL

By the President:
(Sgd.) SALVADOR L. MARIÑO
Acting Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1965). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 151-A

IN RE: ATTY. PRIMITIVO P. CAMMAYO, FORMER ASSISTANT FISCAL, CITY OF MANILA.

This is a petition of Atty. Primitivo P. Cammayo for relief from the adverse effects of the decision rendered by this Office under Administrative Order No. 73 dated November 12, 1954, removing him from office as Assistant Fiscal of Manila.

Considering that the acts committed by the respondent which resulted in his separation were totally unconnected with his official duties as Assistant Fiscal of Manila; that prior to his dismissal from the service he had rendered long, efficient and satisfactory service to the government and had an unblemished record, it is believed that the harsh effects of his separation may now be softened.

Wherefore, and upon the recommendation of the Secretary of Justice, Administrative Order No. 73 dated November 12, 1954, is hereby amended by considering him as having resigned effective November 15, 1954, without prejudice to the payment to him of the money value of his accumulated leaves and/or retirement benefits, if any, he may be entitled to under the law.

Done in the City of Manila, this 29th day of November, in the year of Our Lord, nineteen hundred and sixty-five.

(Sgd.) DIOSDADO MACAPAGAL

By the President:

(Sgd.) SALVADOR L. MARIÑO

Acting Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1965). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACANANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 152
REMOVING MR. ANGEL V. CAMPOY FROM OFFICE AS JUDGE OF DUMAGUETE CITY.

This is an administrative case against Mr. Angel V. Campoy, Judge of Dumaguete City, for (1) electioneering, (2) abuse of authority and oppression and (3) falsification of public document. The case was investigated by the District Judge of the Court of First Instance of Negros Occidental who found respondent guilty of the charges and recommended his dismissal. The Secretary of Justice finds that the first two charges have not been duly substantiated, but agrees with the recommended penalty in view of his finding of guilt in the remaining charge for falsification of public document.

It is alleged under the first count that respondent urged voters to vote for the candidates of the Nationalista Party during the 1961 elections within the premises of precincts II and II-A of Barrio Ajong, Sibulan, Negros Oriental. Respondent's presence in said premises at the time of the elections in question was neither unusual nor suspicious, it appearing that he is a native of Sibulan and a former mayor thereof. It is unbelievable that he would be so imprudent as to publicly commit the act imputed to him, considering that after the 1959 elections he was already administratively charged with a like offense. Respondent is therefore cleared of the electioneering charge.

Neither is there any evidence of his having abused his authority and oppressed Gabriel Dilon and Leonardo Abol, as claimed under the second charge, by causing their arrest on or immediately before election day in 1961 thereby preventing them from casting their votes. The case against the two was filed not in respondent's court but in the municipal court of Sibulan. The municipal judge thereof, Jufelinito Pareja, who accepted the complaint against Dilon and Abol, testified that he issued the warrant of arrest on November 13, 1961, not only on the basis of the affidavits attached to the complaint against them but also on the result of his own investigation of the complaint. There is no conclusive proof that the warrant of arrest was actually served on November 13 or 14, 1961, which prevented Dilon and Abol from exercising their right of suffrage.

However, the evidence shows that respondent is guilty of the last charge of falsification of public document. It appears that on June 3, 1959, respondent prepared a document entitled "Extrajudicial Settlement and Sale" wherein Sixto Abol and his seven (7) children, one of them Esperanza Abol, agreed, among other things, to sell to respondent a piece of land owned by them in common, identified as Lot No. 2566, situated at Sibulan, Negros Oriental, and covered by Original Certificate of Title No. O-V-691. In view of Esperanza's refusal to sell her share of the land and to sign the document transferring the property to respondent, the latter deleted her name appearing on the deed of conveyance already signed by her father and six (6) others to make it appear that the latter were the only co-owners of Lot No. 2566, filled the blank spaces of the acknowledgment of the deed reserved for the residence certificates of the vendors with those issued to persons other than the vendors and had it ratified before a notary public.

On June 11, 1959, respondent presented the falsified deed of conveyance in the Office of the Register of Deeds in Dumaguete City, on the strength of which Original Certificate of Title No. O-V-691 was cancelled and Transfer Certificate of Title No. T-7272 issued to the seven (7) co-owners, with

Esperanza Abol excluded. On the same day, Transfer Certificate of Title No. R-7276 cancelling Transfer Certificate of Title No. 7272 was issued in the name of respondent as registered and sole owner of Lot No. 2566.

Respondent denied responsibility for the entry of said residence certificates numbers in the deed of conveyance. However, Atty. Ricardo Abiera, the notary public before whom the instrument was ratified, asserted that the entries therein were made by respondent himself. Respondent's disclaimer is untenable, since it was he who had obtained the signatures of the vendors and brought the deed to the notary public for acknowledgment and he alone stood to benefit by the existence of the document.

Respondent's fraudulent acquisition of the land by means of a falsified document proves that he is utterly unfit to remain in the public service, particularly in the judiciary, where only men possessed of high integrity and proven honesty have the right to be.

Wherefore, and upon the recommendation of the Secretary of Justice, Mr. Angel V. Campoy is hereby removed from office as Judge of Dumaguete City, effective upon receipt of a copy of this order.

Done in the City of Manila, this 3rd day of December, in the year of Our Lord, nineteen hundred and sixty-five.

(Sgd.) DIOSDADO MACAPAGAL

By the President:

(Sgd.) SALVADOR L. MARIÑO

Acting Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1965). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 153
AUTHORIZING THE OVERSEAS INSURANCE CORPORATION TO BECOME A SURETY
UPON OFFICIAL RECOGNIZANCES, STIPULATIONS, BONDS AND UNDERTAKINGS.

WHEREAS, Section 1 of Act No. 536, as amended by Act 2206, provides that whenever any recognizance, stipulations, bond or undertaking conditioned for the faithful performance of any duty or of any contract made with any public authority, national, provincial, municipal or otherwise, or of any of undertaking or for doing or refraining from doing anything in such recognizance, stipulation, bond or undertaking specified is, by the laws of the Philippines or by the regulations or resolutions of any public authority therein, required or permitted to be given with one surety or with two or more sureties, the execution of the same or the guaranteeing of the performance of the condition thereof shall be sufficient when executed or guaranteed solely by any corporation organized under the laws of the Philippines having power to guarantee the fidelity of persons holding positions of public or private trust and to execute and guarantee bonds or undertakings in judicial proceedings and to agree to the faithful performance of any contract or undertaking made with any public authority;

WHEREAS, said section further provides that no head of department, judge, officer, board or body, whether executive, legislative, or judicial, shall approve or accept any corporation as surety on any recognizance, stipulation, bond, contract or undertaking unless such corporation has been authorized to do business in the Philippines in accordance with the provisions of said Act No. 536, as amended, nor unless such corporation has, by contract with the Government of the Philippines, been authorized to become a surety upon official recognizances, stipulations, bonds and undertakings; and

WHEREAS, OVERSEAS INSURANCE CORPORATION, is a domestic corporation organized and existing under the laws of the Republic of the Philippines and fulfills the conditions prescribed by said Act No. 536, as amended;

NOW, THEREFORE, I, DIOSDADO MACAPAGAL, President of the Philippines, by virtue of the powers vested in me by law, do hereby authorize the OVERSEAS INSURANCE CORPORATION to become a surety upon official recognizances, stipulations, bonds and undertakings in such manner and under such conditions as are provided by law, subject, however, to the condition that the amount constituting the contributed surplus fund shall not at anytime be withdrawn and paid back in cash to the contributing stockholders without prior recommendation and justification by the Insurance Commissioner duly approved by the Secretary of Finance, and provided, further, that the moment OVERSEAS INSURANCE CORPORATION becomes indebted to any government-owned or controlled corporation in the total amount ₱50,000.00 accruing from the issuance of bonds, the same having been due and demandable, the insurance company must voluntarily desist from writing or issuing all kinds of bonds until the outstanding liabilities in government bonds have been fully paid or settled. Non-payment of liabilities shall be a cause for the immediate revocation of the Administrative Order.

Done in the City of Manila, this 3rd day of December, in the year of Our Lord, nineteen hundred and sixty-five.

(Sgd.) DIOSDADO MACAPAGAL

By the President:
(Sgd.) SALVADOR L. MARIÑO
Acting Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1965). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACANANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 154
SUSPENDING MR. NOE A. AMADO FROM OFFICE AS MUNICIPAL JUDGE
OF SAN MATEO, RIZAL.

This is an administrative case filed by Cesario Bandong against Municipal Judge Noe A. Amado of San Mateo, Rizal, for maladministration of justice, ignorance of law, gross partiality and abuse of authority. The case was investigated by the district judge.

On May 8, 1956, Criminal Cases Nos. 124 and 125 for violation of the Revised Motor Vehicle Law and disobedience to an agent of a person in authority, respectively, were filed in respondent's court by P.C. Corporal Luminoso Cruz of the Traffic Control Group against the herein complainant. A warrant of arrest was immediately issued by the respondent against the accused who posted bail of ₱100 for his provisional release. Hearing of both cases was set at 2:00 P.M. on May 14, 1956.

According to the complainant, he and his counsel, Atty. Sixto Natividad, arrived in court before the scheduled time of the hearing but the respondent, upon noticing that the P.C. men were not around, left for Montalban, Rizal, after informing his counsel that he was going to hold a trial there. This is, however, denied by the respondent. At any rate, respondent arrived in his court in San Mateo about 4:00 P.M. and called Criminal Cases Nos. 124 and 125 for the arraignment of the accused. As neither the accused nor his lawyer was present, respondent instructed a policeman to summon the accused from his house. The policeman reported to the respondent that the accused had promised to come that afternoon which was confirmed by Attorney Natividad who arrived in court ahead. Later, the same patrolman reported seeing the accused in a car proceeding towards Manila. Thereupon respondent issued a warrant of arrest against the accused for contempt of court which was, however, rescinded by him before it could be served.

On May 22, 1956, complainant filed in respondent's court Criminal Case No. 131 for unjust vexation against P.C. Corporal Luminoso Cruz. No warrant of arrest or formal summons was issued by the respondent against Cruz. Said case was docketed by the respondent on August 6, 1956 (when Cruz was arraigned), and tried jointly with Criminal Cases Nos. 124 and 125.

During the early stages of the hearing of Criminal Cases Nos. 124 and 125 the respondent allowed, over the objection of defense counsel, the appearance of Atty. Hermogenes Datuin Jr. as private prosecutor on the strength of a letter of the Provincial Fiscal of Rizal. Attorney Datuin's appearance was, however, disallowed by respondent in the later states of the trial.

The complainant also alleged that on September 26 and 29, 1956, respondent was seen engaged in animated conversation with Attorney Datuin in the former's chamber. Respondent admitted that fact but denied that their conversation had anything to do with any of the aforementioned criminal cases then pending in his court.

Judgment was rendered by the respondent acquitting Luminoso Cruz in Criminal Case No. 131 and sentencing Cesario Bandong to pay a fine of ₱20 in Criminal Case No. 124 and ₱50 in Criminal Case No. 125. Bandong appealed to the Court of First Instance where the cases were dismissed upon motion of the fiscal.

It is believed that respondent abused his authority and discretion in issuing a warrant of arrest against Bandong in Criminal Cases Nos. 124 and 125. By his own admission the offenses charged are light and the accused was not a recidivist, or a fugitive from justice or charged with physical injuries. The accused was a prominent citizen of the locality, personally known to the respondent as principal of a leading public high school in Manila and with no criminal record. Under the circumstances only a summons was necessary pursuant to Section 10 of Rule 108 of the old Rules of Court for his appearance.

Also unwarranted was the other summary order of arrest issued by respondent against Bandong in the afternoon of May 14, 1956, Complainant was in court at the appointed hour but respondent was absent. The former was not bound to wait for the respondent who arrived two hours late. Moreover, there was no impelling necessity for complainant's presence at the arraignment, as his counsel was present and manifested his intention to enter the plea for his client pursuant to Section 2, Rule 112 of the old Rules of Court. Respondent again abused his authority in ignoring this manifestation and in issuing the order of arrest.

Respondent's alacrity in issuing the warrant, of arrest against the complainant upon the filing of Criminal Cases Nos. 124 and 125 was in direct contrast to his inaction with respect to Criminal Case No. 131 against Corporal Cruz. Not only did he fail to issue a formal summons to the accused in said Case No. 131, but he did not docket it until August 6, 1956, when his attention was called by complainant's counsel, although the case was filed with him more than two months earlier. His alleged intention to try it jointly with Cases Nos. 124 and 125 was no excuse for his delay in docketing the case or for his failure to issue a formal summons to the P.C. officer if only to place the said accused under the jurisdiction of his court. As a matter of fact, doubts were later raised that the case had already prescribed when it was docketed on August 6, 1956. The Investigating Judge is therefore correct in finding the respondent partial to the P.C. officers and against complainant Bandong. However, I do not see anything wrong in respondent's indulging in animated conversation with Attorney Datuin considering the explanation that they were laughing about a story being narrated by the attorney regarding a case of lasciviousness handled by the latter.

Wherefore, and upon the recommendation of the Secretary of Justice, Mr. Noe A. Amado is hereby suspended from office for two months without pay and warned that repetition of similar irregularities in the future will warrant his removal from office.

Done in the City of Manila, this 3rd day of December, in the year of Our Lord, nineteen hundred and sixty-five.

(Sgd.) DIOSDADO MACAPAGAL

By the President:

(Sgd.) SALVADOR L. MARIÑO
Acting Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1965). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 155
IMPOSING A FINE EQUIVALENT TO TWO MONTHS' PAY ON MR. NICOMEDES PEÑERA,
MUNICIPAL JUDGE OF SAPAO, SURIGAO.

Mr. Nicomedes Peñera, municipal judge of Sapao, Surigao, was charged in two administrative complaints filed with the Court of First Instance of Surigao with: (1) oppression, in the first complaint; (2) arbitrary detention, ignorance of the law, extortion, oppression and inefficiency, in the second. The charges were investigated by the District Judge, who did not, however, submit his findings and recommendation by special permission of the Department of Justice.

The Secretary of Justice, after examining and evaluating the evidence of record, finds the charges unsubstantiated. However, he finds respondent to have committed mistakes in his actuations in a certain criminal case for illegal possession of dynamited fish, for which he recommends that respondent be fined in amount equivalent to two (2) months' pay, reprimanded and warned.

A review of the record shows that respondent really committed the following mistakes in the criminal case for illegal possession of dynamited fish in which the accused was convicted, on a plea of guilty, and sentenced to five (5) days' imprisonment: (1) his failure to fix any bail for the temporary liberty of the accused; (2) considering the plea of guilty as a mitigating circumstance; (3) imposing the penalty of five days' imprisonment; and (4) assuming jurisdiction over the case when, under the law, he had none.

Under the first mistake committed by the respondent, he contends that the offense was only a misdemeanor and a summons issued to the accused was all that was necessary. This contention is erroneous, considering that, the lowest penalty for violation of the law on illegal possession of dynamited fish is a fine of not less than ₱100 nor more than ₱500, or imprisonment for not less than 1 month nor more than 6 months, or both such fine and imprisonment.

In considering the accused's plea of guilty as a mitigating circumstance, the respondent labored under the erroneous impression that the provisions of the Revised Penal Code are applicable to violation of special laws. Under the provisions of the law violated, respondent should have imposed on the accused a longer term of imprisonment, instead of imposing only five days' imprisonment. Finally, the respondent assumed jurisdiction over the case when, under the law, he could not have done so, because the criminal jurisdiction of municipal courts extends only to offenses penalized by imprisonment for not more than 6 months or a fine of not more than ₱200, or both.

WHEREFORE, and as recommended by the Secretary of Justice, the respondent is hereby fined in an amount equivalent to two (2) months' pay, reprimanded and warned that repetition of similar offense will be dealt with more severely.

Done in the City of Manila, this 3rd day of December, in the year of Our Lord, nineteen hundred and sixty-five.

(Sgd.) DIOSDADO MACAPAGAL

By the President:
(Sgd.) SALVADOR L. MARIÑO
Acting Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1965). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 156
CONDONING BACK RENTALS DUE FROM TENANTS AND OCCUPANTS OF THE
MABALACAT HOMESITE, QUITANGUIL ESTATE AND GUTIERREZ-MORALES
HOMESITE IN THE PROVINCE OF PAMPANGA.

WHEREAS, the Mabalacat Homesite, Quitanguil Estate and Gutierrez-Morales Homesite, all situated in the municipality of Mabalacat, province of Pampanga, were purchased by the Government for subdivision and distribution to bona fide tenants and occupants and other qualified landless individuals;

WHEREAS, said estates were acquired pursuant to the Constitution and Commonwealth Act No. 539 for subdivision into residential lots for resale at cost to qualified persons;

WHEREAS, in the computation of the selling price of the residential lots in these estates, rentals and interests thereon were added to the cost of the land from the date of their acquisition;

WHEREAS, in view of the huge amount of accumulated rentals and interests, the issuance of the corresponding deeds of sale to tenants was hampered due to their inability to pay for their lots;

WHEREAS, the imposition of said rentals and interests on the tenants and occupants of the estate has resulted in the institution of landlord-tenant relationship which is not in accordance with the intent and spirit of the Constitution and Commonwealth Act No. 539; and

WHEREAS, the failure of the tenants and occupants to pay the rentals and interests was due partly to their justified conviction that they were to pay for the land at cost and not for the use thereof, since the estates were purchased by the Government in their own behalf.

NOW, THEREFORE, I, DIOSDADO MACAPAGAL, President of the Philippines, by virtue of the powers vested in me by law and the best interests of the Government so requiring, do hereby order:

That the outstanding rentals of bona fide tenants and occupants and other qualified persons under the law, rules and regulations to acquire residential lots in the Mabalacat Homesite, Quitanguil Estate and Gutierrez-Morales Homesite and rentals in arrears, and interests thereon of promisees in agreements to sell are hereby condoned and said persons relieved therefrom.

Done in the City of Manila, this 10th day of December, in the year of Our Lord nineteen hundred and sixty-five.

(Sgd.) DIOSDADO MACAPAGAL

By the President:
(Sgd.) RAMON A. DIAZ
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1965). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 157
CONDONING BACK RENTALS DUE FROM TENANTS AND OCCUPANTS
OF THE VALDEZ ESTATE IN THE PROVINCE OF TARLAC.

WHEREAS, the Valdez Estate situated in the barrios of San Jose, San Manuel and Balintanaway, municipality of Tarlac, province of Tarlac, was purchased by the government for subdivision and distribution to bona fide tenants and occupants and other qualified landless individuals;

WHEREAS, the acquisition of subject estate was in accordance with the provisions of the Constitution and Republic Act No. 1400 authorizing the acquisition by the government of big landed estates for subdivision into farm and residential lots for resale at cost to qualified persons;

WHEREAS, in the computation of the selling price of farm and residential lots, rentals and interests thereon from the date of the acquisition of the estate were added to the cost of the land.

WHEREAS, in view of the huge amount of accumulated rentals and interests, the tenants and other qualified persons became lukewarm to execute the corresponding agreements to sell over the lots occupied by them;

WHEREAS, the imposition of said rentals and interests on the tenants and occupants of the estate has resulted in the institution of landlord-tenant relationship which is not in accordance with the intent and spirit of the Constitution and Republic Act No. 1400; and

WHEREAS, the failure of the tenants and occupants to pay the rentals and interests was due partly to their justified conviction that they were to pay for the land at cost and not for the use thereof, since the estate was purchased by the government in their behalf.

NOW, THEREFORE, I, DIOSDADO MACAPAGAL, President of the Philippines, by virtue of the powers vested in me by law and the best interests of the government so requiring, do hereby order:

That the outstanding rentals of bona fide tenants, occupants and other qualified persons under the law, rules and regulations to acquire farm and residential lots in the Valdez Estate and rentals in arrears and interests thereon of promisees in agreements to sell are hereby condoned and said persons relieved therefrom.

Done in the City of Manila, this 10th day of December, in the year of Our Lord nineteen hundred and sixty-five.

(Sgd.) DIOSDADO MACAPAGAL

By the President:

(Sgd.) FROILAN R. MONTALBAN

Acting Assistant Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1965). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 158
CONDONING BACK RENTALS DUE FROM TENANTS AND OCCUPANTS
OF HACIENDA DE LEON IN THE PROVINCE OF NUEVA ECIJA.

WHEREAS, the Hacienda de Leon in the municipality of Talavera, province of Nueva Ecija, was purchased by the government for subdivision and distribution to bona-fide tenants, occupants and other qualified landless individuals;

WHEREAS, the acquisition of said hacienda was in accordance with the provisions of the Constitution and Republic Act No. 1400, authorizing the acquisition by the government of big haciendas for subdivision into farm lots and resale at cost to qualified persons;

WHEREAS, in the computation of the selling price of the farm lots, rentals and interests thereon from the date of the acquisition of the hacienda were added to the cost of the land;

WHEREAS, the imposition of said rentals and interests on the tenants and occupants of the hacienda has resulted in the institution of landlord-tenant relationship which is not in accordance with the intent and spirit of the Constitution and Republic Act No. 1400; and

WHEREAS, the failure of the tenants and occupants to pay the rentals and interests was due partly to their justified conviction that they were to pay the land at cost and not for the use thereof, since the Hacienda de Leon was purchased by the Government in their behalf.

NOW, THEREFORE, I, DIOSDADO MACAPAGAL, President of the Philippines, by virtue of the powers vested in me by law and the best interest of the government so requiring, do hereby order:

That the outstanding rentals of bona-fide tenants, occupants and other qualified persons under the law, rules and regulations to acquire farm lots in the Hacienda de Leon, Talavera, Nueva Ecija, and rentals in arrears and interests thereon of promisees in agreements to sell are hereby condoned and said persons relieved therefrom.

Done in the City of Manila, this 10th day of December, in the year of Our Lord nineteen hundred and sixty-five.

(Sgd.) DIOSDADO MACAPAGAL

By the President:

(Sgd.) RAMON A. DIAZ

Executive Secretary

Source: Malacañang Records Office

Office of the President of the Philippines. (1965). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 159
CONDONATION OF BACK RENTALS DUE THE TENANTS AND OCCUPANTS
OF THE NUESTRA SEÑORA DE GUIA ESTATE IN TONDO, MANILA.

WHEREAS, the Nuestra Señora de Guia Estate in the City of Manila was purchased by the Government with the end in view of affording the tenants, occupants and other qualified persons to own home lots of their own;

WHEREAS, the acquisition of said landed estate was in accordance with the Constitution and the provisions of Commonwealth Act No. 539 for subdivision into lots and resell at cost to qualified persons;

WHEREAS, in the sale of the lots by the Bureau of Lands and its successor-offices to qualified persons, rentals and interests therein were added to the actual cost of the land resulting in the institution of landlord-tenant relationship which is not in accordance with the intent and spirit of the constitution and laws;

WHEREAS, the rentals and interests have accumulated to such extent beyond the capacity of the tenants to pay and their failure to pay has hampered the issuance of title to the land awarded to them; and

WHEREAS, the failure of the tenants and occupants to pay the rentals was due partly to their justified conviction that they were to pay for the cost of the land and not for the use thereof since the estate was precisely purchased by the government in their behalf.

NOW, THEREFORE, I, DIOSDADO MACAPAGAL, President of the Philippines, by virtue of the powers vested in me by law, and the best interest of the government so requiring, do hereby order;

That the outstanding rentals of lessees, bona-fide tenants and occupants found qualified under the law, rules and regulations to acquire home lots in the Nuestra Señora de Guia Estate in Tondo, Manila, as well as rentals in arrears of the promisees in agreement to sell, are hereby condoned and said persons relieved therefrom.

Done in the City of Manila, this 12th day of December, in the year of Our Lord, nineteen hundred and sixty-five.

(Sgd.) DIOSDADO MACAPAGAL

By the President:

(Sgd.) FROILAN R. MONTALBAN
Acting Assistant Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1965). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 160
EXONERATING GOVERNOR ALFREDO K. BANTUG OF SOUTHERN LEYTE.

This is an administrative case filed by Miguel Orito, Pedro T. Arcenas, Monico Arnaiz, Jacinto Baro, Felixberto Bernadez and Remigio Espino against Governor Alfredo Bantug of Southern Leyte for malfeasance in office consisting of the following counts:

- 1) Falsification of payrolls and vouchers, in connivance with certain municipal mayors, by making it appear that an anti-rat campaign was being conducted in the province and that certain persons were employed therein;
- 2) Exacting, for his personal use, from merchant-owners, a fee of five centavos per “bulto” of cargo loaded and unloaded by members of the Federation of Labor of Maasin apart from his participation in other benefits as President of said union;
- 3) Conspiring with certain engineers in the Bureau of Public Highways branch in Southern Leyte in the padding of payrolls he caused to be inserted therein fictitious names and persons who did not in fact work;
- 4) Sending a circular letter to chiefs of all offices in the province requiring a loyalty check of all employees to determine their loyalty to the Nacionalista Party; and
- 5) Intimidating by means of letter Miss Eleuteria Duarte, a school teacher, to vote and campaign for Nacionalista Party candidates.

The respondent submitted the following answer:

- 1) The payrolls and vouchers, prepared were in connection with an actual anti-rat campaign and the duplicate payrolls tending to prove the falsity thereof were never used as basis for payment;
- 2) It is not wrong for the Governor to be identified with a labor organization as President thereof. As regards the collection of five centavos per “bulto” of cargo, his accusers, not being the aggrieved parties, are not the proper party complainants since even the merchants against which the levy is imposed or the laborers affected have not complained;
- 3) He has not signed and approved any payroll from the Bureau of Public Highways which did not reflect the truth of its contents;
- 4) The circular letter is but an ordinary campaign device which he, as an officer outside the pale of the Civil Service Law, is allowed to do. Employees who refused to heed the circular were not punished; and
- 5) The letter sent to Miss Duarte was merely a polite persuasion for her to vote Nacionalista.

Issues having been joined, a formal investigation of the charges was ordered. During the hearing the complainants introduced evidence only on the charge of falsification of payrolls and vouchers

embodied in count (1), abandoning count (3) and submitting for decision the remaining counts without the presentation of evidence on their part.

The evidence shows that there was an actual anti-rat campaign conducted by the provincial government of Southern Leyte in the various municipalities of the province, for which the amount of ₱4,800 was appropriated by the provincial board and apportioned among the various municipalities at the rate of ₱300 each. Laborers were recruited in the various municipalities and they actually worked in said anti-rat campaign, as shown by the accomplishment reports which they were made to submit on the work that they had done. These laborers were actually paid for their work.

However, actual falsifications of the payrolls for the municipalities of Silago and Bontoc (Exhs. A-Taña, C-Taña) were committed. In the payroll for the municipality of Silago, Rudy Tayum and Moises Isip appear to have signed the payroll as laborers and received their wages when actually, as testified to by them, they did not sign said payroll nor receive any amount. That their signatures were forged is shown by the obvious dissimilarity between their sample signatures and those appearing in the payroll, and by the fact that the residence certificates used for the purpose were issued in the name of other persons. In the payroll for the municipality of Bontoc the signatures of Ambrocio Cotanda and Dalmacio Ceniza were likewise forged.

There is no evidence pinpointing the respondent as the one directly responsible for the falsifications of the above-mentioned payrolls. However, a careful consideration of the entire evidence shows, as the investigator concluded, that the falsifications were made with the knowledge, consent and tolerance of three persons, namely: Felixberto Delima, the paymaster; Agustin Dulla, the confidential agent of respondent Governor Bantug; and Sinforiano Lison, police inspector of Southern Leyte in the Office of the Governor.

Although the falsifications were made with the knowledge of the confidential agent and police inspector of the respondent, it does not seem warranted, based on that accidental circumstance alone, to hold respondent liable indirectly therefor on the theory of command responsibility, as the investigator believed. The link of the respondent to the alleged falsifications has not been shown and the fact that he directed the preparation of the official payrolls is not sufficient basis for finding him guilty, even indirectly, of the charge of falsification. Moreover, "command responsibility" is not a valid ground for drastic action against civil service officials or employees whose tenure of office is guaranteed by law, like an elective official.

The doctrine enunciated by the Supreme Court in the case of Arturo B. Pascual vs. Provincial Board (G.R. No. L-111959 prom. Oct. 31, 1959) that reelection condones the offense should be considered in the disposition of this case. The pendency of the charge of falsification against the respondent notwithstanding, he was reelected in November 1963. Hence, he may not now be punished therefor because his reelection condoned the offense.

WHEREFORE, Governor Alfredo K. Bantug is hereby exonerated from the charges against him.

Done in the City of Manila, this 13th day of December, in the year of Our Lord, nineteen hundred and sixty-five.

(Sgd.) DIOSDADO MACAPAGAL

By the President:
(Sgd.) RAMON A. DIAZ
Acting Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1965). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 161
SUSPENDING MR. EMILIO STA. ROMANA FROM OFFICE AS MUNICIPAL JUDGE
OF LAUA-AN, ANTIQUE.

This is an administrative case against Mr. Emilio Sta. Romana Jr., municipal judge of Laua-an, Antique, filed by Mr. Antonio Olindo when the former was municipal judge of Bugasong, same province, for grave dereliction of duty in releasing the two accused after conviction in Criminal Case No. 280 of the Bugasong Municipal Court, thus enabling them to evade sentence to the prejudice of the bondsmen and the offended party therein.

During the investigation conducted by the District Judge, the respondent denied the charge and disclaimed any knowledge that the two accused had evaded sentence. He testified that he did not detain them after rendering his judgment of conviction because the same was still not final. After fifteen days from the date of the sentence, he issued a warrant for their arrest, which was returned unserved, in view of which he ordered the bondsmen to produce the bodies of the accused. When the bondsmen failed, he ordered the forfeiture of the bail bonds, but postponed execution thereof after the bondsmen had asked for more time to surrender the accused.

In accordance with Section 2 of Rule 110 of the old Rules of Court, it was respondent's duty to detain the accused after rendering his judgment of conviction unless they had appealed and filed new bail bonds. When the accused appeared in court and heard their sentence, the obligation of the bail was terminated and the custody of the accused was transferred from the bail to the law (6 Am. Jur. 117-118). The bondsmen, therefore, could no longer be held responsible for the persons of the accused under the original bonds. Respondent thus revealed his ignorance of law in failing to detain the accused after their conviction and in ordering the forfeiture of their bonds when the bondsmen failed to produce the accused after the judgment had become final.

In view of the foregoing, and upon recommendation of the Secretary of Justice, Municipal Judge Emilio Sta. Romana Jr. is hereby suspended without pay for one (1) month, reprimanded and warned that repetition of similar offense will be dealt with more severely.

Done in the City of Manila, this 13th day of December, in the year of Our Lord, nineteen hundred and sixty-five.

(Sgd.) DIOSDADO MACAPAGAL

By the President:
(Sgd.) RAMON A. DIAZ
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1965). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 162
SUSPENDING MR. DOMINGO M. GARCIA FROM OFFICE AS MUNICIPAL JUDGE
OF NAGUILIAN, ISABELA.

This is an administrative case filed by Filoteo Capuchino against Municipal Judge Domingo M. Garcia of Naguilian, Isabela, for alleged partiality and dereliction of duty. The case was formally investigated by the District Judge who finds the respondent guilty of partiality in Criminal Case No. 343 and of gross negligence in Criminal Case No. 334, both of his court, and recommends that he be fined in an amount equivalent to his salary for one (1) month.

After carefully reviewing the evidence, I agree with the District Judge in his findings against the respondent, who admits that, when Criminal Case No. 343 was filed against the son of his second cousin, he sent the latter a note specifying the amount of the required bail, which the accused was able to put up without being detained. Respondent's conduct, though not illegal, was clearly unbecoming a judge. As observed by the investigating judge, "this conduct of the respondent as dispenser of justice is highly censurable because he had shown some act of partiality in favor of his kinsman."

With respect to Criminal Case No. 334, the record thereof shows that on November 16, 1957, respondent sentenced the accused to imprisonment ranging from two to seven years; ordered the chief of police to commit the body of the accused to the provincial jail, the chief of police signing a receipt for the body of the accused for commitment and custody; and also committed the accused to the provincial warden and the Director of Prisons. Attached, however, to the commitment to the provincial warden is a receipt for the prisoner signed by the jailer and dated February 12, 1958, which shows that, although the accused was ordered committed to serve sentence on November 16, 1957, he was not actually received by the provincial warden until February 12, 1958, after a delay of almost three months.

The late turnover of the accused to the warden is supported by the herein complainant, who testifies that when he was detained in the municipal jail from December 18 to 21, 1957, said accused was also a prisoner therein; and by the police blotter showing that the accused remained in the municipal jail until January 20, 1958. Although the respondent contends that he cannot be blamed for the failure of the chief of police to comply with his order to commit the accused to the provincial jail, it was nonetheless his duty to require the return to him of the receipt signed by the provincial jailer as soon as possible. In other words, he should have made sure that his order of commitment was duly carried out.

The three commitment orders signed by the respondent, committing the accused to the chief of police, the provincial warden and the Director of Prisons, indicate his ignorance of the proper procedure of commitment, it being sufficient to address the order to the Director of Prisons through the provincial warden. At the same time, the apparent effort to show that respondent did all he could to commit the convicted prisoner arouses the suspicion that the orders were prepared after the filing of the herein administrative complaint.

It also appears that in Criminal Case No. 325 of respondent's court, he denied the request of the herein complainant to defend the accused, his son-in-law. Respondent's explanation is that complainant is not a lawyer and that there are practising lawyers in the municipality one of whom he assigned as de oficio counsel for the accused. Although the evidence tends to show that he acted in good faith, he unquestionably overlooked Section 31 of Rule 127, old Rules of Court, which permits a party in the court of a municipal judge to "conduct his litigation in person, with the aid of an agent or friend appointed by him for that purpose, or with the aid of an attorney." Under this provision, the herein complainant could not be considered otherwise than as the agent or friend of his son-in-law, whom he could therefore defend as the accused in a criminal case in the respondent's court.

In view of all the foregoing, and upon the recommendation of the Secretary of Justice, Mr. Domingo M. Garcia is hereby suspended from office without pay for one (1) month, reprimanded and warned that a repetition of similar irregularities will be dealt with more severely.

Done in the City of Manila, this 14th day of December, in the year of Our Lord, nineteen hundred and sixty-five.

(Sgd.) DIOSDADO MACAPAGAL

By the President:

(Sgd.) RAMON A. DIAZ

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1965). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 163
SUSPENDING MR. PEDRO F. FORMILLEZA, MUNICIPAL JUDGE
OF SAN ANDRES, ROMBLON.

This is an administrative case against Mr. Pedro F. Formilleza, municipal judge of San Andres (formerly Despujols), Romblon, on charges filed by Messrs. Catalino Gamo and Domingo Merez, as follows:

- (1) That as acting justice of the peace of San Agustin, Romblon, the respondent allowed a private prosecutor to participate in the proceedings in Criminal Case No. 589 despite the filing of a separate civil action based on the offense complained of;
- (2) That he ordered the arrest of herein complainants as accused in Criminal Cases Nos. 1671 and 1672 for failure to appear at the trial, complainant Gamo being thereby confined in jail for six hours;
- (3) That in Criminal Case No. 1672 against herein complainants for malicious mischief, respondent rendered a judgment of conviction after inspecting, the premises where the alleged offense was committed without notice to the accused or their counsel;
- (4) That respondent does not reside in his official station; and
- (5) That he is ignorant of the English language which renders him unfit for the office he holds.

Respondent filed a motion to dismiss the complaint, but upon its denial by the District Judge he submitted the case for judgment on the pleadings.

As regards the first charge, respondent admitted having allowed a private prosecutor to appear in the trial of the specified criminal case despite the presentation of a separate civil action arising from the same offense. However, he alleged good faith in that the defense being represented by counsel and the prosecution by the chief of police, he deemed it in the interest of justice to allow a lawyer also to appear for the prosecution.

Respondent's explanation is not satisfactory. The rule is well settled that if the offended party has filed a separate court action or has waived it, he loses his right to intervene, personally or by attorney, in the prosecution of the criminal case. However, respondent's fault is mitigated by the fact that he appears to have acted in good faith, as he wanted the prosecution to be also assisted by a lawyer like the defense.

As to the second charge, the evidence shows that complainants herein, who were the accused in Criminal Cases Nos. 1671 and 1672 of respondent's court, failed to appear on the date set for the trial despite previous due notice. Respondent was therefore justified in ordering the cancellation of their bonds and their arrest upon failure to file new bonds or to have the forfeiture order reconsidered. He may not be said to have acted illegally in ordering the confinement of complainant Gamo, especially considering that the former ordered the latter's release after a few hours.

Regarding the third charge, it appears that he conducted an ocular inspection of the premises in Criminal Case No. 1672 without notifying the accused. Such inspection was a part of the trial, as evidence was thereby received. However, the error did not prejudice the accused, since the decision was based on the testimony of the prosecution witnesses.

The fourth charge is without merit. There is no law or regulation requiring a municipal judge to reside in his official station. Besides, respondent's official station, San Andres, is adjacent to his residence in Despujols, and it has not been alleged or proved that he was not holding office hours as required by law and regulations.

Respondent's inadequate and poor command of the English language, subject of the last charge, is reflected in his order issued in Criminal Case No. 589 on October 24, 1960, reproduced below:

“ORDER

“A motion for reconsideration was filed with this Court to the effect for the appearance of a private prosecutor be disqualified and that he cannot act as such for the alleged offended party filed a separate Civil Action in the Court of First Instance. The reasons stated therein were not sound and just within the premises and an answer for reconsideration was filed with this Court for reasons stated therein which were just and reasonable this Court denies again the motion for reconsideration being the civil action independent from the criminal action and having the offended party right to a private prosecution, the appearance of said prosecutor is legal and permitted by the law and this case is set for hearing on October 31, 1960, at 8:00 a.m.

“SO ORDERED.”

WHEREFORE, and upon the recommendation of the Secretary of Justice, Judge Pedro F. Formilleza is hereby suspended from office for a period of three (3) months without pay effective upon receipt of a copy hereof, admonished to improve his command of the English language and warned that repetition of similar mistakes will be dealt with more severely.

Done in the City of Manila, this 14th day of December, in the year of Our Lord, nineteen hundred and sixty-five.

(Sgd.) DIOSDADO MACAPAGAL

By the President:
(Sgd.) RAMON A. DIAZ
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1965). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 164

**AUTHORIZING THE INSURANCE CORPORATION OF THE PHILIPPINES,
TO BECOME A SURETY UPON OFFICIAL RECOGNIZANCES, STIPULATIONS,
BONDS AND UNDERTAKINGS.**

WHEREAS, Section 1 of Act No. 536, as amended by Act No. 2206, provides that whenever any recognizance, stipulation, bond or undertaking conditioned for the faithful performance of any duty or of any contract made with any public authority, national, provincial, municipal or otherwise, or of any undertaking, or for doing or refraining from doing anything in such recognizance, stipulation, bond or undertaking specified is, by the laws of the Philippines or by the regulations or resolutions of any public authority therein, required or permitted to be given with one surety or with two or more sureties, the execution of the same or the guaranteeing of the performance of the condition thereof shall be sufficient when executed or guaranteed solely by any corporation organized under the laws of the Philippines, having power to guarantee the fidelity of persons holding positions of public or private, trust and to execute and guarantee bonds or undertakings in judicial proceedings and to agree to the faithful performance of any contract or undertaking made with any public authority;

WHEREAS, said section further provides that no head of department, court, judge, officer, board or body, whether executive, legislative, or judicial, shall approve or accept any corporation as surety on any recognizance, stipulation, bond contract or undertaking unless such corporation has been authorized to do business in the Philippines in accordance with the provisions of said Act No. 536, as amended, nor unless such corporation has, by contract with the Government of the Philippines, been authorized to become a surety upon official recognizances, stipulations, bonds and undertakings; and

WHEREAS, the INSURANCE CORPORATION OF THE PHILIPPINES, is a domestic corporation organized and existing under the laws of the Republic of the Philippines and fulfills the conditions prescribed by said Act No. 536, as amended,

NOW, THEREFORE, I, DIOSDADO MACAPAGAL, President of the Philippines, by virtue of the powers vested in me by law, do hereby authorize the INSURANCE CORPORATION OF THE PHILIPPINES, to become a surety upon official recognizances, stipulations, bonds and undertakings, in such manner and under such conditions as are provided by law, subject to the conditions that the amount constituting the contributed surplus fund shall not at anytime be withdrawn and paid back in cash to the contributing stockholders without prior recommendation and justification by the Insurance Commissioner duly approved by the Secretary of Finance, and provided further, that the moment the INSURANCE CORPORATION OF THE PHILIPPINES, becomes indebted to any government instrumentality or political subdivision thereof, or to any government-owned or controlled corporation in the total amount of ₱50,000.00 accruing from the issuance of bonds, the same having become due and demandable, the insurance company must voluntarily desist from writing or issuing all kinds of government bonds until the outstanding liabilities shall be a cause for the immediate revocation of the Administrative Order.

Done in the City of Manila, this 16th day of December, in the year of Our Lord, nineteen hundred and sixty-five.

(Sgd.) DIOSDADO MACAPAGAL

By the President:
(Sgd.) RAMON A. DIAZ
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1965). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 165
SUSPENDING FROM OFFICE FOR ONE (1) MONTH MR. AMANCIO L. BAUZON,
MUNICIPAL JUDGE OF ASINGAN, PANGASINAN.

This is an administrative case against Mr. Amancio L. Bauzon, municipal judge of Asingan, Pangasinan, for unduly delaying the disposition of a certain case of his court for forcible entry committed when he was justice of the peace of San Manuel, same province. The charge was investigated by the District Judge, who found respondent guilty thereof and recommended that he be reprimanded with a warning that any future misconduct or irregularity will be dealt with more severely.

After a review of the case, the Secretary of Justice concurs in the findings and conclusion of the Investigating Judge, but believes that the recommended penalty of reprimand with warning is lenient, considering the unusually long and entirely inexcusable delay incurred by the respondent in treating the case, even if requested by counsel for the complainant. The respondent's primary duty is for the speedy disposition of cases in his court as provided by law and his failure so to do in effect is a nullification of the purpose of the law in the remedy sought by the action for forcible entry. As correctly observed by the Secretary of Justice, even if the offense is respondent's first, the extent of the irregularity as well as the emphasis on expeditious administration of justice calls for a heavier disciplinary action against him, in view of which the Secretary recommends, in addition to reprimand and warning, that respondent be suspended from office for one (1) month without pay.

An examination of the record reveals the following facts substantially established:

A certain case for forcible entry was filed with respondent's court on July 15, 1957. After the issues had been joined, the case was set for trial on September 7, 1957. By agreement of the parties, the trial was postponed to November 16, 1957, then March 21, 1958, and then May 20, 1958. Trial was farther postponed until further assignment because respondent was busy in the trial of two criminal cases. On July 2, 1958, a motion to dismiss was filed, which was denied on November 28, 1959. Until submission of the report of the Investigating Judge, the case had been pending untried despite the lapse of two years and a half since its institution.

In his defense, respondent alleges that he was of the honest belief that the postponements did not amount to a miscarriage of justice because the parties themselves never questioned the postponements.

This defense of the respondent is untenable. The granting of long postponements is in contravention of law (Sec. 5, Rule 72, old Rules of Court) and runs counter to the summary character of actions for forcible entry. Cases of this nature involve perturbation of social order, which must be restored as promptly as possible and, accordingly, technicalities or details of procedure which may cause unnecessary delays should be avoided.

In allowing the parties to impose their will on him, instead of exercising control over them, through the majesty of the procedural laws, respondent has shown lack of judicial firmness and independence which should characterize judicial officers, thereby making possible the dragging of the case for over two years without trial.

Respondent is therefore guilty of undue delay in the disposition of the case.

WHEREFORE, and upon the recommendation of the Secretary of Justice, Municipal Judge Amancio L. Bauzon is hereby suspended from office for one (1) month without pay, admonished and warned that a repetition of the same or similar offense will be dealt with more severely.

Done in the City of Manila, this 16th day of December, in the year of Our Lord nineteen hundred and sixty-five.

(Sgd.) DIOSDADO MACAPAGAL

By the President:

(Sgd.) RAMON A. DIAZ

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1965). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 166
SUSPENDING MR. ANASTACIO T. ZAMUCO FROM OFFICE AS MUNICIPAL JUDGE
OF BUGALLON, PANGASINAN.

Mr. Anastacio T. Zamuco, municipal judge of Bugallon, Pangasinan, was charged in two separate administrative complaints with (a) persecution of complainant and (b) refusal to accept complainant's personal bail bonds.

The complaints were investigated by the District Judge of Pangasinan who found respondent guilty of acts unbecoming a judicial officer.

A careful review of the record substantially establishes that on three different occasions the respondent went to the mining area of the complainant inducing the latter's laborers to leave him and join the treasure-hunting venture of one Manuel Uy, respondent's client, offering them participation in the 10% share Uy had offered him from whatever might result from the treasure-hunting venture; that should they not leave the place, they would be arrested together with complainant for intruding in the area of the treasure-hunting venture of Uy.

As offshoots of the mining venture of complainant, four criminal cases for estafa were filed against him with respondent's court, for his failure to pay the wages of his laborers. These cases were merely supported by the affidavits of the alleged offended parties without the three other witnesses named in each complaint having been examined under oath. Respondent, in contravention of Sections 1, 6 and 7 of Rule 108 of the old Rules of Court, issued the warrants of arrest and sent them to Dagupan City where the accused resides, for service. Getting wind of these criminal cases against him, the accused engaged the services of a law firm to bail him out. Respondent judge, upon being approached by complainant's counsel, refused to accept the proffered bail bonds, stating that he did not have copies of the warrants of arrest and that it would be better for the accused to file the same in Dagupan City where he was residing and where the warrants of arrest were to be served; and that the accused (complainant herein) had not been arrested and the warrants returned.

Respondent sets up the defense that he examined the offended parties and their supporting witnesses before issuing the warrants of arrest. This defense is untenable because, while he alleges that he examined the offended parties and their witnesses before ordering the arrest of the accused, only the affidavits of the offended parties appear in evidence. In ordering the arrest of the accused without bothering to examine under oath all the witnesses named in each complaint, respondent did so, not because of the demand of urgency of the cases but because of his strong desire to compel the complainant as accused in said criminal cases to cease in his mining activities which were in direct conflict with the treasure-hunting venture of Manuel Uy, respondent's client.

Respondent's nonacceptance of the bail bonds of the accused in Criminal Cases Nos. 2193 and 2194 was justified, since the warrants had not been served and the accused arrested and brought before the court. Acceptance of any bond would have been premature.

In view of the foregoing, respondent is guilty of abuse of authority for using his office to harass and humiliate the complainant to further his (respondent's) personal interest.

WHEREFORE, Mr. Anastacio T. Zamuco is hereby suspended from office for three (3) months without pay, with a warning that a repetition of the same or similar offense will be dealt with more severely.

Done in the City of Manila, this 16th day of December, in the year of our Lord, nineteen hundred and sixty-five.

(Sgd.) DIOSDADO MACAPAGAL

By the President:

(Sgd.) RAMON A. DIAZ

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1965). [*Administrative Order Nos.: 1 - 191*]. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 167
SUSPENDING MR. PLEGONTE B. INES FROM OFFICE AS MUNICIPAL JUDGE
OF SINAIT, ILOCOS SUR.

This is an administrative case against Municipal Judge Plegonte B. Ines of Sinait, Ilocos Sur, for grave abuse of discretion and authority, gross ignorance of law and incompetence. The charges were investigated by the then Presiding Judge of the Court of First Instance of Ilocos Sur.

The investigation shows that respondent in two instances caused the board of election inspectors in Sinait, Ilocos Sur, to allow the casting of votes outside the polling place in the general elections on November 10, 1959. In the first instance, the respondent went to Precinct No. 7 located in barrio Sabangan, Sinait, Ilocos Sur, and volunteered the opinion to the board of election inspectors that, if it would agree, it could legally allow a woman who had just given birth to cast her ballot in her house. Relying on that opinion, three members of the board went to the house of one Antonia Inay with the necessary election paraphernalia and then and there allowed her to accomplish her ballot. In the second instance, which took place in Precinct No. 16 located in barrio Baracbac, Sinait, respondent, while in the polling place to resolve a consulta of the board of election inspectors regarding the inclusion of two voters, was asked by the board whether a woman who had just delivered could be allowed to vote in her house. Respondent answered in the affirmative, and thereupon some members of the board proceeded to the house of Margarita Yadao where the woman was allowed to vote.

In giving such opinions that caused the irregular casting of votes by Antonia Inay and Margarita Yadao, respondent either was grossly ignorant of, or deliberately overlooked, Section 135 of the Revised Election Code which prohibits the preparation of ballots outside the voting booths. There is, however, no satisfactory proof that he acted maliciously and deliberately to mislead the members of the board of inspectors on the correct interpretation of the election law. It was rather more of a misconception of the law by respondent than a desire to mislead them to favor any particular candidate.

Wherefore, and upon the recommendation of the investigator and the Secretary of Justice, Mr. Plegonte B. Ines is hereby suspended from office as Municipal Judge of Sinait, Ilocos Sur, for two (2) months without pay effective upon receipt of notice hereof, with a warning that repetition of similar offense will be dealt with more severely.

Done in the City of Manila, this 16th day of December, in the year of Our Lord, nineteen hundred and sixty-five.

(Sgd.) DIOSDADO MACAPAGAL

By the President:
(Sgd.) RAMON A. DIAZ
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1965). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 168
IMPOSING A FINE ON MR. AMBROSIO G. DELORIA, MUNICIPAL JUDGE
OF DARAM, SAMAR.

This is an administrative case filed by Mr. Victoriano Gatil against Mr. Ambrosio G. Deloria, municipal judge of Daram and formerly of Zumarraga and Daram, Samar. The complaint alleges (1) that respondent falsely stated in his orders dismissing Criminal Cases Nos. 6174, 6175 and 6176 of the Zumarraga court that he heard those cases on March 30, 1956, when in truth he was not in Zumarraga on that day but in Daram where he attended a cockfight, it being Daram's town fiesta; (2) that his orders dismissing the cases were politically inspired; (3) that he allegedly collected his salary when he had cases pending decision for more than 90 days; and (4) that he unduly delayed the disposition of said criminal cases.

The charges were investigated by the District Judge who found the evidence insufficient to sustain the charges except the last, with which the then Secretary of Justice agreed.

The evidence shows that, aside from Criminal Cases Nos. 6174, 6175, 6176, the respondent also unduly delayed the disposition of several other criminal cases. According to his monthly report for January 1956, out of 40 criminal cases pending in the Zumarraga court at the beginning of the month, and without any case filed during the period, 32 remained undisposed at the end of the month, one of which was filed as early as February 23, 1955. Likewise, in the Daram court, out of 26 criminal cases pending at the beginning of the same month, only 7 were disposed of during the period. The oldest of those left undisposed was filed on May 6, 1955.

This marked inefficiency of the respondent cannot be excused by any claim of good faith in granting postponements of the trial of those cases because, having been justice of the peace since 1946, he should have realized the need for acting promptly on cases filed in his court.

The evidence also shows that the respondent did not observe a regular schedule of days and hours of office in either Zumarraga or Daram as shown by his daily time record for the month of January 1956. His regular office hours are not indicated on the blanks provided therefor in the time record. Neither does it show the fixed days of his attendance in office in either of the two municipalities which then comprised his circuit. It is thus clear that he fixed his hours and days of office in each municipality according to his own convenience. Such irregularity in attendance was highly prejudicial to the public service as those desiring to transact official business with him would not know when he would be available in his office.

WHEREFORE, Mr. Ambrosio G. Deloria is hereby fined in an amount equivalent to one month's pay, reprimanded and warned that repetition of similar acts in the future will be dealt with more severely.

Done in the City of Manila, this 16th day of December, in the year of Our Lord, nineteen hundred and sixty-five.

(Sgd.) DIOSDADO MACAPAGAL

By the President:
(Sgd.) RAMON A. DIAZ
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1965). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 169
SUSPENDING MR. JUAN C. VALDEZ FROM OFFICE AS MUNICIPAL JUDGE
OF KABACAN, COTABATO

This is an administrative case against Mr. Juan C. Valdez, municipal judge of Kabacan, Cotabato, which arose from his order dismissing Criminal Case No. 268 for brigandage and releasing all the twelve accused. The case was formally investigated by the District Judge.

It appears that twelve persons, reputed to be notorious bandits, were charged with brigandage in Criminal Case No. 268 of respondent's court. Believing that the crime committed was robbery in band, respondent ordered the prosecuting officer to amend the complaint accordingly. However, for reasons of his own, buoyed up by his opinion that there existed a case for brigandage, the prosecuting officer refused to comply with the order. Thereupon respondent dismissed the case and ordered the immediate release from custody of the twelve accused. The Provincial Fiscal of Cotabato later on filed two informations for robbery in band in line with the opinion of the respondent. However, only nine out of the twelve original accused released by the respondent were recaptured. In releasing the accused, the respondent admitted that he committed an error in good faith.

There is no question that respondent erred in dismissing the complaint in Criminal Case No. 268 and in releasing the accused. When he ordered the amendment of the original complaint from brigandage to robbery in band, the implication was that he believed, as he admitted, that a crime had been committed and that the accused were guilty thereof. The mere refusal of the prosecuting officer to amend the complaint was no justification for throwing the case out of court. A crime having been perpetrated by the accused, be it brigandage or robbery in band, they should have been bound over for trial instead of discharging them from custody. It was for the fiscal to name the offense in the information and for the Court of First Instance to determine the same in its decision on the merits.

Respondent's claim that the mistake was committed in good faith is hard to believe after he himself admitted that he ordered the release of the twelve accused when "he found that the prosecuting officer was bent on not complying with his order" to amend the original complaint. Apparently he ordered the release of the accused because he was irked by the refusal of the prosecuting officer to file a new complaint in accordance with his order.

The District Judge, believing that the respondent acted in good faith, recommended that the case be considered closed. In view of the serious consequence of his imprudent act (only nine of the twelve notorious bandits released were recaptured) which he ought to have foreseen, respondent deserves to be suspended at least.

Wherefore, Mr. Juan C. Valdez is hereby suspended from office without pay for three months, with the warning that commission of similar irregularity will be dealt with more drastically.

Done in the City of Manila, this 17th day of December, in the year of Our Lord, nineteen hundred and sixty-five.

(Sgd.) DIOSDADO MACAPAGAL

By the President:
(Sgd.) RAMON A. DIAZ
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1965). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 169-A
CREATING A COMMITTEE TO TAKE CHARGE OF THE PRESIDENTIAL INAUGURATION
ON DECEMBER 30, 1965.

By virtue of the powers vested in me by law, I, DIOSDADO MACAPAGAL, President of the Philippines, do hereby create a Committee to take charge of the Presidential Inauguration on December 30, 1965. The Committee shall be composed of the following:

Secretary Mauro Mendez)	Co-Chairman
Senator Gil J. Puyat)	
Senator Ambrosio Padilla	Member
Senator Arturo M. Tolentino	Member
Commissioner Faustino F. Sy-Changco	Member
Speaker Protempore Salipada Pendatun	Member
Rep. Jose B. Laurel	Member
Mayor Antonio J. Villegas	Member
Governor Benigno Aquino Jr.	Member
Governor Isidro Rodriguez	Member
Director-General Armand V. Fabella	Member
Mr. Rafael M. Salas	Member
Secretary Raul Gonzales	Member
Mr. Jose D. Aspiras	Member
Ambassador Manuel G. Zamora	Member-Secretary

The Committee shall meet at the call of either of the Chairmen and, for the purpose of discharging its functions, may create such sub-committees as may be necessary.

The Committee is hereby empowered to call upon any department, bureau, office, agency or instrumentality of the Government for such assistance as it may need in discharging its duties.

Done in the City of Manila, this 17th day of December, in the year of Our Lord, nineteen hundred and sixty-five.

(Sgd.) DIOSDADO MACAPAGAL

By the President:
(Sgd.) RAMON A. DIAZ
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1965). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACANANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 170
SUSPENDING MR. LORENZO V. ROBIÑOS FROM OFFICE AS MUNICIPAL JUDGE
OF M'LANG COTABATO.

This is an administrative case filed by Ernesto Pamplona against Municipal Judge Lorenzo V. Robiños of M'lang, Cotabato, for misconduct arising from the respondent's actuations in Criminal Case No. 113 of his court. The complaint was investigated by the District Judge.

On the night of April 26, 1955, one Bienvenido Payopilin was shot in his house in sitio Mabundasan, M'lang, Cotabato. Nobody witnessed the shooting but the victim pointed to Faustino Morgal and Operiano Tacardon as his assailants in a declaration made before the respondent in the presence of several persons, including complainant herein. Respondent took down the dying declaration but because the declarant died sooner, the statement was neither read to nor signed by the deceased. Investigation of the shooting was conducted by the chief of police of M'lang to whom the statement of the deceased was shown by the respondent. However, the chief of police, instead of indicting the two persons named by the deceased, filed a criminal complaint for murder against Ernesto Pamplona, which was accepted and docketed by the respondent as Criminal Case No. 113 of his court. A warrant of arrest was issued against the accused on May 20, 1955, and from that date up to July 19, 1956, the accused was held in custody because respondent did not fix any bail for his provisional release.

The accused waived his right to the second stage of the preliminary investigation, and the case was remanded to the Court of First Instance of Cotabato. Upon reinvestigation of the case by the Assistant Provincial Fiscal, the dying declaration of the deceased was brought to the Fiscal's attention for the first time. The declaration was turned over by the respondent to the Fiscal who, on the basis thereof, moved for the dismissal of the case, which was granted by the Court on July 19, 1956.

While the evidence adduced in this administrative proceeding fails to show that respondent acted with malice aforethought to prejudice the complainant, I agree with the Secretary of Justice that he was indirectly responsible for the unjustified detention of the complainant from May 20, 1955, to July 19, 1956. In the first stage of a preliminary investigation prior to the issuance of a warrant of arrest it is the duty of the judge or officer conducting the same to summon and personally examine all persons who appear to have knowledge of the commission of the offense charged (Secs. 5 and 6, Rule 108, old Rules of Court). No other occasion would perhaps have required the respondent to adhere strictly to this procedure outlined by the Rules of Court than the filing before his court of the complaint for murder against complainant herein. From no less than the victim of the crime did respondent learn the identity of the killers. Yet, when the complaint filed before him imputed authorship of the offense to a person other than those mentioned to him by the deceased, he did not bother to personally examine the persons whose affidavits were presented by the chief of police in support of the complaint. Other persons whom he knew were present when the dying declaration of the deceased was taken were neither summoned nor questioned on what they had heard from the deceased. Taking the affidavits at their face value and completely ignoring his personal information about the probable real identity

of the killers and the availability of other witnesses who could testify on the matter, respondent immediately ordered the arrest of the accused and held him in custody without bail.

The complainant no doubt contributed to his own misfortune by waiving his right to the second stage of the preliminary investigation wherein he could have availed himself of the dying declaration in his defense. But that only serves to mitigate the responsibility of the respondent. The fact is that because of his neglect, evidence in his possession vital to the cause of the complainant failed to become part of the evidence adduced in the preliminary examination and considered in determining whether complainant was *prima facie* guilty of murder so as to warrant his detention without bail. And, furthermore, because such evidence did not form part of the record of the case remanded to the Court of First Instance, the Fiscal had no opportunity to seek earlier dismissal of the case on the basis thereof which would have shortened the incarceration of the complainant.

Wherefore, Mr. Lorenzo V. Robiños is hereby suspended from office without pay for two (2) months, reprimanded and warned that repetition of similar offense in the future will be dealt with more severely.

Done in the City of Manila, this 17th day of December, in the year of Our Lord, nineteen hundred and sixty-five.

(Sgd.) DIOSDADO MACAPAGAL

By the President:

(Sgd.) RAMON A. DIAZ

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1965). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 171

CONSIDERING MR. FAUSTO P. VARELA RESIGNED AND SEPARATED AS DEPUTY
COMMISSIONER OF CIVIL SERVICE.

This is an administrative case against Mr. Fausto P. Varela, Deputy Commissioner of Civil Service, filed by the then Commissioner (now District Judge) Amado del Rosario and two employees of the Civil Service Commission, for various alleged irregularities which may be simplified into (1) misconduct in office, (2) insubordination, (3) falsification and (4) violation of Administrative Order No. 46, series of 1937. The case was investigated by the then Undersecretary of Justice (now Court of Appeals Justice) Magno S. Gatmaitan, who found respondent guilty of charges (1) and (2) and innocent of the others although liable for presumptuous conduct under charge (3).

I. Misconduct

1. It appears that Mrs. Amanda Cabigao, a customs examiner, was originally recommended for outright dismissal by the respondent as against the recommendation of resignation without prejudice to reinstatement in another office; that thereafter respondent received a note from then Senator Quintin Paredes dated November 7, 1959, and he recommended her demotion to a position not involving inspection work.

Respondent claims that Cabigao verbally explained to him that possibly the cartons of cigarettes were placed in the truck after she had inspected the vehicle, and he entertained some reasonable doubt in her favor. But this would only indicate that he made an ex parte examination of the interested party in the absence of the accuser, an investigation apparently conducted not under oath. Considering the result of his investigation, coupled with the personal note of the senator, the only implication that may be deduced is that the respondent, in his capacity as Deputy Commissioner of Civil Service, was influenced by the personal note of the senator to change his mind. This is certainly not complimentary to the standard that should be maintained by the Civil Service which would appear to be susceptible to political pressure and influence. Hence, he is guilty of conduct prejudicial to the discipline of the civil service.

2. It is alleged that around ten o'clock in the morning of February 16, 1962, respondent, in a very arrogant manner, went to the Legal Services Division inquiring for the whereabouts of an indorsement signed by him in a case involving an employee (Godofredo Cases) of the Bureau of Internal Revenue; that when he found out that the correspondence was not given due course by the Legal Services Division, he got angry at the personnel thereof in the presence of outsiders, in the course of which he allegedly shouted, "Bolshet to the Commissioner," and "To hell with him and to this division," and that the Commissioner was not his superior.

Respondent in his defense claims that he was the one hurt and humiliated by his subordinates, as the action signed by him, a copy of which was mailed by him to Congressman Cases (who had interceded in behalf of the BIR employee), was not released but the one signed by his subordinate, Atty. Guillermo de Jesus, chief of the Legal Services Division.

According to respondent, when he confronted Mrs. Angelita Vera, chief legal officer, why she did not follow his instructions, she said she was so instructed by Atty. De Jesus whom she had to follow, being her superior. So respondent asked, "And what about me, am I not your superior also?" When Atty. De Jesus came, he also asked him why the indorsement signed by him was not released and the former answered that the Commissioner had ordered it, adding that the Commissioner was respondent's superior and his indorsement was not in conformity with the standard operating procedure. Respondent admits saying at this juncture, "Bolshet with that procedure, I am responsible for what I sign."

He denies having shouted at the top of his voice because they were not far apart from each other. According to him, he could not have meant the remarks for the Commissioner, as the latter was not involved in their conversation, and that the comment was intended for the standard operating procedure invoked by Atty. De Jesus which had provoked him.

A review of the records tends to support the investigator's belief that respondent intended the unsavory remarks for the Commissioner of Civil Service. While it may be true that he was angry at the standard operating procedure, it is a fact that his indorsement had been crossed out on orders of the Commissioner. It was therefore quite natural for him also to be sore with the Commissioner for having ordered the cancellation of his indorsement. However, provoked he might have been, he should not have uttered the vulgar remarks which were highly unbecoming of him as the No. 2 man in the office with the rank of Department Undersecretary and were disruptive of the discipline in the Civil Service.

II. Insubordination

Respondent is charged with insubordination for issuing his memorandum of October 26, 1961, which allegedly countermanded an order of a superior authority, the Commissioner of Civil Service, who had given instructions to conduct an inspection and audit of different agencies.

Respondent denies the charge of insubordination. Precisely, he points out, his order to Messrs. Epi. Rey Pangramuyen and Jesus Carilao was subordinated to the superior authority of the Commissioner when he staged therein, "Unless countermanded by higher authorities"; hence it was subject to such action as the higher authority would take, i.e., the Commissioner of Civil Service.

The evidence shows that on or about November 16, 1959, a memorandum circular was issued by the Commissioner of Civil Service announcing that designated representatives of the Commission would conduct a program of periodic inspection of the personnel; that two years afterwards, or on October 26, 1961, having read in the newspapers that there would be an inspection and audit of the Civil Service Commission and not being agreeable thereto, respondent wrote a memorandum enjoining Messrs. Pangramuyen and Carilao from carrying out the proposed inspection and audit, with the warning, "This is an order and unless countermanded by higher authorities with due notice to me I shall hold you responsible for a violation of this order."

While it is true that the circular of the Commissioner was issued about two years before and was apparently obsolete, a reading of respondent's memorandum to the above-named employees shows that it was his intention to prohibit the inspection and audit contemplated in the Commissioner's memorandum. The Commissioner's memorandum, though not worded "Order," was intended and understood to mean an order and not mere notice as contended by respondent.

As to respondent's contention that in his disputed order he subordinated himself to the authority of the Commissioner, the fact that he issued it without notice to and permission from the Commissioner would only mean that he had no regard at all for the previous memorandum or order of his superior.

The interest at the bottom of his protest. No harm was committed in the end because in due time the Commissioner required the preparation of a new appointment without any word “Acting” therein. However, respondent displayed some degree of presumptuousness in this case. The appointment of Mrs. Lim having been signed by the Commissioner without the word “Acting,” even if it is true as he now alleges that the Commissioner had apparently agreed to his protest, what he should have done was not to modify the appointment made by the Commissioner but to tell him not to go ahead with the appointment, his protest having been needed, and he should have asked the Commissioner to make the necessary correction. In modifying a written appointment signed by the Commissioner, respondent went too far. He is therefore guilty of misconduct prejudicial to the discipline of the Civil Service.

A perusal of the records shows the existence of animosities between the respondent Deputy Commissioner and the then Commissioner of Civil Service as well as certain subordinate employees of the Commission. Respondent ignored, disregarded and even challenged the authority of the Commissioner as shown in the following notes of his addressed to the Commissioner:

“To be frank with you, your protestation of innocence in this case does not impress me.”

“So that you will stop pestering me about this record, I am informing you for the last time that I am not returning said record unless ordered by the President or by the courts because this record constitutes evidence against you.”

In behaving as he did quite rebelliously and contemptuously towards his superior before his subordinates, using vulgar language in his outbursts against him and his subordinates, respondent undermined the morale and discipline in the Civil Service Commission, which was aggravated by his tendency to accord special consideration to parties sponsored by big politicians. It must be said, however, in favor of the respondent that no evidence exists indicating any corrupt motives in his part in his actuations. He appears to have worked under strain because of his misunderstanding with his superior and subordinates who have shown no respect and regard for him, which may have contributed to his impulsive and indecorous behavior. Respondent has been in the government service for more than thirty (30) years, having risen from the ranks to his present position. These circumstances should be considered in the disposition of the case.

In view of the foregoing, and considering that respondent may not be returned to his position without undermining the morale and discipline in the Civil Service Commission, apart from his strained relations with subordinate employees thereof, it is believed in the public interest that he be not returned thereto.

Wherefore, Mr. Fausto P. Varela is hereby considered resigned and separated from the Civil Service Commission, without prejudice to receiving retirement and leave benefits to which he may be entitled. His separation shall also be without prejudice to his appointment to another position equivalent to his present post.

Done in the City of Manila, this 21st day of December, in the year of Our Lord, nineteen hundred and sixty-five.

(Sgd.) DIOSDADO MACAPAGAL

By the President:
(Sgd.) RAMON A. DIAZ
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1965). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 172
SUSPENDING MR. ISMAEL V. VILLAMOR FROM OFFICE AS MUNICIPAL JUDGE
OF MAASIN, LEYTE.

Mr. Ismael V. Villamor, municipal judge of Maasin, Leyte, was charged with malfeasance in office under nine (9) specifications. The investigating Judge found respondent guilty of three specifications, but the Department of Justice found him guilty only of two.

Specification 1

Respondent was charged with abuse of authority for having caused the arraignment of the accused in Criminal Case No. R-433 for robbery without the presence of his attorneys and despite the express manifestation of the latter waiving the right of the accused to the second stage of the preliminary investigation and their prayer that the case be remanded to the Court of First Instance for trial on the merits.

In his defense, respondent maintains that he arraigned the accused in accordance with the provisions of Section 11, Rule 108, old Rules of Court, governing the second stage of preliminary investigation; that he advised the accused to secure counsel before the arraignment but that none appeared; and that the waiver of the second stage of the preliminary investigation by the accused did not carry its waiver of the reading of the complaint and his arraignment.

Respondent's defense is untenable. The right to be heard during the second stage of a preliminary investigation is a personal right which may be waived any time. Respondent's duty after the accused had expressly waived the second stage of the preliminary investigation was to remand the case to the Court of First Instance. His actuations therefore in arraigning the accused notwithstanding his express waiver amounts to an abuse of authority. While it may be admitted that there might exist an honest divergence of opinion on the question as to whether respondent could proceed with the arraignment of the accused during the second stage of the preliminary investigation, nevertheless respondent's action in arraigning the accused in the absence of counsel is irregular. Respondent's defense that the court could not wait for the lawyers to arrive is untenable. As aptly observed by the Secretary of Justice, "the right of the accused to be assisted by counsel is certainly more precious than the time spent by the court in waiting for the lawyers."

Specification 9

Respondent was charged with grave abuse of discretion and authority for having dismissed a criminal case for qualified theft of coconuts filed with his court, although the complaint was supported by affidavits sworn to before him and the investigation by a policeman showed that there existed a prima facie case against the accused to warrant preliminary investigation of the case.

On the question of whether or not the act of respondent in dismissing the criminal complaint referred to in this specification was regular or proper, the investigating Judge and the Secretary of Justice sustained the negative side.

In the instant case, after respondent had already determined through a policeman that the nuts were gathered from a coconut tree inside the barbed-wire fence of the offended party, the claim of the accused that the coconut tree belonged to her was therefore false. There being opposite versions of complainant and accused, both being supported by affidavits and witnesses, the dismissal of the case solely on the basis of the testimony of the accused and her witness was irregular and improper. Respondent's reliance on the stand of the accused was therefore a mistake of judgment on his part.

In view of the foregoing, I find respondent guilty of malfeasance in office, mitigated by the fact that there was no bad faith or malice in his actuations.

Wherefore, Mr. Ismael V. Villamor is hereby suspended from office as municipal judge of Maasin, Leyte, for a period of one (1) month without pay, with a warning that repetition of similar irregularity will be dealt with more severely.

Done in the City of Manila, this 22nd day of December, in the year of Our Lord nineteen hundred and sixty-five.

(Sgd.) DIOSDADO MACAPAGAL

By the President:

(Sgd.) RAMON A. DIAZ

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1965). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 173
AUTHORIZING THE SUMMIT GUARANTY & INSURANCE CO., INC.,
TO BECOME A SURETY UPON OFFICIAL RECOGNIZANCES, STIPULATIONS,
BONDS AND UNDERTAKINGS.

WHEREAS, Section 1 of Act No. 536, as amended by Act No. 2206, provides that whenever any recognizances, stipulation, bond or undertaking conditioned for the faithful performance of any duty or of any contract made with any public authority, national, provincial, municipal or otherwise or of any undertaking or for doing or refraining from doing anything in such recognizances, stipulation, bond or undertaking specified is, by the laws of the Philippines or by the regulations or resolutions of any public authority therein, required or permitted to be given with one surety or with two or more sureties, the execution of the same or the guaranteeing of the performance of the condition thereof shall be sufficient when executed or guaranteed solely by any corporation organized under the laws of the Philippines, having power to guarantee the fidelity of persons holding positions of public or private trust and to execute and guarantee bonds of undertakings in judicial proceedings and to agree to the faithful performance of any contract or undertaking made with any public authority.

WHEREAS, said section further provides that no head of department, judge, officer, board or body, whether executive, legislative, or judicial, shall approve or accept any corporation as surety on any recognizance, stipulation, bond, contract or undertaking unless such corporation has been authorized to do business in the Philippines in accordance with the provisions of said Act No. 536, as amended, nor unless such corporation has, by contract with the Government of the Philippines, been authorized to become a surety upon official recognizances, stipulations, bonds and undertakings; and

WHEREAS, SUMMIT GUARANTY & INSURANCE CO., INC., is a domestic corporation organized and existing under the laws of the Republic of the Philippines, and fulfills the conditions prescribed by said Act No. 536, as amended.

NOW, THEREFORE, I, DIOSDADO MACAPAGAL, President of the Philippines, by virtue of the powers vested in me by law, do hereby authorize the SUMMIT GUARANTY & INSURANCE CO., INC., to become a surety upon official recognizances, stipulations, bonds and undertakings in such manner and under such conditions as are provided by law, subject, however, to the conditions that the amount constituting the contributed surplus fund shall not at anytime be withdrawn and paid back in cash to the contributing stockholders without prior recommendation and justification by the Insurance Commissioner duly approved by the Secretary of Finance, and provided further, that the moment SUMMIT GUARANTY & INSURANCE CO., INC., become indebted to any government instrumentality or political subdivision thereof, or to any government-owned or controlled corporation in the total amount of ₱50,000.00 accruing from the issuance of bonds, the same having been due and demandable, the insurance company must voluntarily desist from writing or issuing all kinds of bonds until the outstanding liabilities in government bonds have been fully paid or settled. Non-payment of liabilities shall be a cause for the immediate revocation of the Administrative Order.

Done in the City of Manila, this 22nd day of December, in the year of Our Lord, nineteen hundred and sixty-five.

(Sgd.) DIOSDADO MACAPAGAL

By the President:
(Sgd.) RAMON A. DIAZ
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1965). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 174
CONDONING BACK RENTALS DUE FROM TENANTS AND OCCUPANTS
OF THE DINALUPIHAN ESTATE IN THE PROVINCE OF BATAAN.

WHEREAS, the Dinalupihan Estate situated in the municipality of Dinalupihan, province of Bataan, was purchased by the government for subdivision and distribution to bona fide tenants, occupants and other qualified landless individuals;

WHEREAS, the acquisition of subject estate was in accordance with the provisions of the Constitution and Commonwealth Act No. 539 authorizing the acquisition by the government of big landed estates for subdivision into farm and residential lots for resale at cost to qualified persons;

WHEREAS, in the computation of the selling price of farm and residential lots, rentals and interests thereon from the date of the acquisition of the estate were added to the cost of the land;

WHEREAS, in view of the huge amount of accumulated rentals and interests, many tenants and other qualified persons were unable to buy the lots occupied by them;

WHEREAS, the imposition of said rentals and interests on the tenants and occupants of the estate has resulted in the institution of landlord-tenant relationship which is not in accordance with the intent and spirit of the Constitution and Commonwealth Act No. 539; and

WHEREAS, the failure of the tenants and occupants to pay the rentals and interests was due partly to their justified conviction that they were to pay for the land at cost and not for the use thereof, since the estate was purchased by the government in their behalf.

NOW, THEREFORE, I, DIOSDADO MACAPAGAL, President of the Philippines, by virtue of the powers vested in me by law and the best interests of the government so requiring, do hereby order:

That the outstanding rentals of bona fide tenants, occupants and other qualified persons under the law, rules and regulations to acquire farm and residential lots in the Dinalupihan Estate and rentals in arrears and interests thereon of promisees in agreement to sell are hereby condoned and said persons relieved therefrom.

Done in the City of Manila, this 23rd day of December, in the year of Our Lord nineteen hundred and sixty-five.

(Sgd.) DIOSDADO MACAPAGAL

By the President:
(Sgd.) RAMON A. DIAZ
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1965). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 175
MODIFYING ADMINISTRATIVE ORDER NO. 132-A DATED AUGUST 27, 1965,
CONCERNING MUNICIPAL JUDGE RODOLFO S. AZANZA OF MANDAON, MASBATE.

Under Administrative Order No. 132-A dated August 27, 1965, Mr. Rodolfo S. Azanza was considered resigned and separated from office as municipal judge of Mandaon, Masbate, for gross negligence and inefficiency in the disposition and trial of cases in his court.

Respondent filed a request for reconsideration on the ground that the penalty meted out to him was too severe for the offenses committed. Acting on the petition, the Acting Undersecretary of Justice recommends modification of the decision to suspension for six (6) months without pay, considering that none of the charges for which he was found guilty involves dishonesty; that from the time of the institution of this administrative case in 1959 until it was decided, respondent had never been complained against, which indicates that he is not beyond reform; and that he has more than 30 years of government service.

Wherefore, and as recommended, Administrative Case No. 132-A dated August 27, 1965, is hereby modified in the sense that Mr. Azanza is merely suspended for six (6) months without pay, effective on November 29, 1965, the date he received a copy of Administrative Order No. 132-A.

Done in the City of Manila, this 27th day of December, in the year of Our Lord, nineteen hundred and sixty-five.

(Sgd.) DIOSDADO MACAPAGAL

By the President:
(Sgd.) RAMON A. DIAZ
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1965). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 176

**ADMONISHING CONRADO C. FULE, MUNICIPAL JUDGE OF ALAMINOS, LAGUNA,
AND SOLON F. CORDERO, AUXILIARY CITY JUDGE OF SAN PABLO CITY.**

This refers to the administrative cases mutually instituted against each other by Solon F. Cordero, auxiliary city judge (formerly called municipal judge) of San Pablo City, and Conrado C. Fule, municipal judge (formerly called justice of the peace) of Alaminos, Laguna, who are first cousins. Fule is respondent in Cases Nos. 2, 3, 4, 5 and 6 for estafa through falsification of public documents and in Case No. SP-8 for notorious ignorance of the law, gross incompetence and inefficiency. Cordero in turn is respondent in Case No. 7 for blackmail and gross misconduct. Both cases were investigated by the District Judge.

Respondent Fule

Cordero has established that, on the dates specified in the pertinent charges, Fule appeared in the mornings in various Courts of First Instance, either as party or as counsel, but in his time records he made it appear that he was in office, and collected the corresponding salary. Fule did not deny this, but claimed that he went back to Alaminos in time to render office work in the afternoons, having been given authority by the then District Judge of Laguna (Hon. Nicasio Yatco) to practice law and to attend office in the afternoon if he could not do so in the morning.

Since Fule held office in the afternoon of the dates in question and not at the precise times indicated in his daily time records, it is evident that he made false entries therein. However, such misrepresentation and Fule's collection of salary for those days did not amount to estafa through falsification of public documents, as the government was not actually defrauded because he rendered the requisite hours of service in the afternoons.

While Fule is obviously not free from responsibility for the incorrect entries in his daily time records, the same is, however, mitigated by the absence of any ulterior motive on his part and the fact that the government has not been prejudiced. Moreover, it appears that the District Judge authorized justices of the peace in his jurisdiction to engage in the practice of their profession and to hold office in the afternoon whenever they could not do so in the morning.

The records of eight criminal cases show that Fule neglected to reduce to writing the testimony of the complainants in the preliminary investigation and to make an abstract or brief statement of the substance of the testimony of their witnesses as required by Section 6, Rule 108 of the old Rules of Court. Such neglect or omission may be attenuated by the fact that the municipal court was not provided with a clerical staff, not even an official clerk or messenger, so much so that the judge thereof had to do almost everything and every bit of work in the office. The same observation holds as to his failure to indicate the dates when certain pleadings were received.

As to his failure to forward to the Court of First Instance the records of cases dismissed by him on preliminary investigation, Fule explained that he only forwarded the same when so requested by

an interested party. This practice is irregular because under Section 13 of Rule 108 of the old Rules of Court, as construed by the Supreme Court in *Biron vs. Cea* (73 Phil. 673) which decision was circularized to all justices of the peace, Fule was duty bound to forward to the Court of First Instance all criminal cases cognizable by said court after preliminary investigation. It is noted, however that in his monthly report to the Secretary of Justice there appears the list and description of dismissed cases for the period. While this is not what the Rules of Court require, it may be considered as an irregular compliance with the requirements.

The foregoing amply supports the findings of the investigating Judge and the Secretary of Justice that respondent is guilty of neglect. It is observed, however, that while some damage was caused to the public service, no private rights seem to have been prejudiced thereby.

Respondent Cordero

Concerning the case against Cordero, it appears that he was an aspirant for the position of solicitor in the office of the Solicitor General as early as December 1956 in which Hector Fule, respondent Conrado Fule's brother, was also interested. Realizing that Hector was a stumbling block, he employed every possible means to persuade the former to withdraw. Failing through persuasion, he resorted to threats against Conrado Fule to compel Hector Fule to desist.

Sometime in October 1956 Archimedes Cordero met Hector Fule upon whom he impressed the necessity of settling the differences between their families, as Cordero was contemplating to file charges against Conrado Fule, showing him a photostatic copy of Conrado's time record for October 1954. On November 19, 1956, Cordero met Hector Fule at the RFC (now DBP) canteen in Manila, with Attorney Delia Medina, a mutual friend as moderator. Cordero reiterated his request that Hector Fule withdraw his application and when answered in the negative, the former said that, much to his regret, he would file charges against Conrado Fule. Sometime before Hector Fule qualified for the post of solicitor, Cordero told Hector, through Atty. Medina, to think it over before taking his oath.

Hector Fule was appointed solicitor on October 24, 1956, and Cordero learned of it from a subsequent issue of the Official Gazette. Hector Fule took his oath on December 11, 1956. Cordero filed administrative charges against Conrado Fule on December 22, 1956.

The above facts unmistakably show that Cordero filed the administrative and criminal cases against Conrado Fule because of Hector Fule's persistence in seeking the post of solicitor and subsequently accenting the appointment which post he coveted. This becomes more evident when, despite Cordero's knowledge of the alleged falsification committed by Conrado Fule as early as 1954, he presented his complaints only after learning that Hector Fule was finally appointed. His complaints were not motivated by a sense of public duty but by personal motives and family vendetta. Although Cordero's acts had no connection with the discharge of his official duties, his conduct is unbecoming a public officer.

In view of the foregoing, respondents Conrado C. Fule and Solon F. Cordero are hereby admonished to be more careful in their actuation and behavior in the future.

Done in the City of Manila, this 27th day of December, in the year of Our Lord, nineteen hundred and sixty-five.

(Sgd.) DIOSDADO MACAPAGAL

By the President:
(Sgd.) RAMON A. DIAZ
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1965). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 177
CONDONING BACK RENTALS, PENALTIES AND SURCHARGES DUE FROM TENANTS
AND OCCUPANTS OF THE ANA SARMIENTO ESTATE IN THE CITY OF MANILA.

WHEREAS, the Ana Sarmiento Estate in the City of Manila was purchased by the Government for subdivision and distribution to bona fide tenants, occupants and other qualified landless individuals;

WHEREAS, said estate was acquired pursuant to the Constitution and Commonwealth Act No. 539 for subdivision into farm and residential lots for resale at cost to qualified persons;

WHEREAS, in the computation of the selling price of the residential lots in this estate, rentals and interests thereon were added to the cost of the land from the date of the acquisition of the estate;

WHEREAS, in view of the huge amount of accumulated rentals and interests, the issuance of the corresponding deeds of sale to tenants was hampered due to their inability to pay for their lots;

WHEREAS, the imposition of said rentals and interests on the tenants and occupants of the estate has resulted in the institution of landlord-tenant relationship which is not in accordance with the intent and spirit of the Constitution and Commonwealth Act No. 539; and

WHEREAS, the failure of the tenants and occupants to pay the rentals and interests was due partly to their justified conviction that they were to pay for the land at cost and not for the use thereof, since the estate was purchased by the Government in their own behalf.

NOW, THEREFORE, I, DIOSDADO MACAPAGAL, President of the Philippines, by virtue of the powers vested in me by law and the best interests of the Government so requiring, do hereby orders:

That the outstanding rentals of bona fide tenants, occupants and other qualified persons under the law, rules and regulations to acquire residential lots in the Ana Sarmiento Estate and rentals in arrears, penalties, surcharges and interests thereon of promisees in agreements to sell are hereby condoned and said persons relieved therefrom.

Done in City of Manila, this 27th day of December, in the year of Our Lord nineteen hundred and sixty-five.

(Sgd.) DIOSDADO MACAPAGAL

By the President:
(Sgd.) RAMON A. DIAZ
Executive Secretary

Source: **Malacañang Records Office**

Note: This issuance is followed by Administrative Order No. 181, s. 1965.

Office of the President of the Philippines. (1965). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

ADMINISTRATIVE ORDER NO. 178
(Nemesio Ganan – Not Released)

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1965). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

ADMINISTRATIVE ORDER NO. 179
(Florentino Raymundo – Not Released)

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1965). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

ADMINISTRATIVE ORDER NO. 180
(Emeterio Asinas – Not Released)

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1965). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 181
CONDONATION OF BACK RENTALS DUE THE TENANTS AND OCCUPANTS
OF THE A. MABINI SUBDIVISION IN CALOOCAN CITY.

WHEREAS, the A. Mabini Subdivision in Caloocan City was purchased by the Government with the end in view of affording the tenants, occupants and other qualified persons to own home lots of their own;

WHEREAS, the acquisition of said landed estate was in accordance with the Constitution and the provisions of Commonwealth Act No. 539 for subdivision into lots and resell at cost to qualified persons;

WHEREAS, in the sale of the lots by the Land Tenure Administration and its successor-office to qualified persons, rentals and interests therein were added to the actual cost of the land resulting in the institution of landlord-tenant relationship which is not in accordance with the intent and spirit of the Constitution and laws;

WHEREAS, the rentals and interests have accumulated to such extent beyond the capacity of the tenants to pay and their failure to pay has hampered the issuance of title to the land awarded to them; and

WHEREAS, the failure of the tenants and occupants to pay the rentals was due partly to their justified conviction that they were to pay for the cost of the land and not for the use thereof since the estate was precisely purchased by the government in their behalf.

NOW, THEREFORE, I, DIOSDADO MACAPAGAL, President of the Philippines, by virtue of the powers vested in me by law, and the best interest of the government so requiring, do hereby order:

That the outstanding rentals of lessees, bona-fide tenants and occupants found qualified under the law, rules and regulations to acquire home lots in the A. Mabini Subdivision in Caloocan City, as well as rentals in arrears of the promisees in agreement to sell, are hereby condoned and said persons relieved therefrom.

Done in the City of Manila, this 29th day of December, in the year of Our Lord nineteen hundred and sixty-five.

(Sgd.) DIOSDADO MACAPAGAL

By the President:
(Sgd.) RAMON A. DIAZ
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1965). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 182
SUSPENDING MR. JOAQUIN SOLA FROM OFFICE AS ASSISTANT PROVINCIAL FISCAL
OF NEGROS OCCIDENTAL.

This is an administrative case against Assistant Provincial Fiscal Joaquin Sola of Negros Occidental for drunkenness and absence without leave.

The records show that on the night of February 5, 1958, respondent was arrested at Quiapo, Manila, for disorderly conduct and drunkenness. On the same night, he was arraigned before the night court of the City of Manila, entered a plea of guilty and was fined.

Respondent does not deny the fact of his conviction but states that it is not true that he was drunk when arrested; that the attention of the arresting policemen was drawn because he had an argument with the driver of the taxicab in which he was riding for taking him the roundabout way; that it was not true he refused to pay his fare; and that he pleaded guilty merely to expedite the disposition of the case because he was apprehensive that his sick wife might worry about his absence.

There are several inconsistencies in this defense, but suffice it to say that respondent pleaded guilty to the charge of drunkenness and disorderly conduct. As a lawyer and as an assistant provincial fiscal whose bounden duty is to prosecute offenders and criminals, he knows that the essence of a plea of guilty is that the accused admits his guilt, freely, voluntarily, and with a full knowledge of the consequences and meaning of his act and with a clear understanding of the precise nature of the crime charged (U.S. vs. Burlado, 42 Phil. 72; U.S. vs. Jamad, 37 Phil. 305) and that a plea of guilty is not only an admission of guilt but also of all the material facts alleged in the information (U.S. vs. Barba, 18 Phil. 566; People vs. Tapel, 64 Phil. 112). By reason of respondent's plea of guilty to the charge of drunkenness and disorderly conduct before the City Court of Manila, no question of fact may now be raised and only the legality or propriety of the penalty imposed may be assailed (U.S. vs. Tamarra, 21 Phil. 143).

On the second charge that respondent was absent without leave on the date of his arrest on February 5, 1958, the records show that although his approved leave covered only January 2 to February 2, 1958, Provincial Fiscal Rodriguez, respondent's superior, had agreed that should the former not be able to report for duty after the expiration of his leave, the same would be extended considering that respondent was then in Manila for medical treatment.

In view of the foregoing, respondent is found guilty of the charge of drunkenness and disorderly conduct and exonerated from that of absence without leave.

Wherefore, and upon the recommendation of the Secretary of Justice, respondent is hereby suspended from office for a period of two (2) months without pay, admonished and warned that repetition of the same or similar offense will be dealt with more severely.

Done in the City of Manila, this 29th day of December, in the year of Our Lord, nineteen hundred and sixty-five.

(Sgd.) DIOSDADO MACAPAGAL

By the President:
(Sgd.) RAMON A. DIAZ
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1965). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACANANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 183
SUSPENDING MR. GODOFREDO O. TIONG FROM OFFICE AS MUNICIPAL JUDGE
OF POZORRUBIO, PANGASINAN.

This is an administrative case against Municipal Judge Godofredo O. Tiong of Pozorrubio, Pangasinan, for gross negligence in the performance of his duties.

The records show that in Criminal Case No. 393 of respondent's court complainant was accused of violation of Section 67 (H) of the Motor Vehicle Law (driving without license); that upon a plea of guilty, he was sentenced to pay a fine of ₱100 and in case of insolvency to suffer subsidiary imprisonment of one month and ten days; that upon his failure to pay the fine, respondent ordered his rearrest for service of sentence in the provincial jail; that respondent entrusted the preparation of the commitment order to his clerk who, after preparing it, gave the same to respondent who signed it; that the clerk delivered the commitment order, including other pertinent papers, placed in an envelope, to the chief of police who, in turn, handed them to a policeman with instructions to bring the accused with the pertinent papers to the provincial jail; and that complainant commenced serving his sentence in the provincial jail on August 7, 1956, and was released only on October 15, 1956.

It also appears that in the preparation of the commitment order, the blanks corresponding to the principal penalty of imprisonment were the ones filled up instead of those for the fine and subsidiary imprisonment therein. Respondent failed to fill out the form for the receipt of the prisoner to be signed by the provincial warden and to obtain the prompt return of the receipt as filled out and signed by the warden.

In his defense, respondent maintains that after affording complainant the opportunity to raise money for the fine imposed, he fixed the complainant's subsidiary imprisonment of one month and ten days in his order of June 21, 1956, pursuant to which his commitment order stated only that the accused was sentenced to the aforesaid imprisonment. He further maintains that the commitment order was altered by the filling up of the blanks for subsidiary imprisonment therein.

Respondent's explanation is untenable.

Under the Revised Penal Code (Arts. 9 and 39) the subsidiary imprisonment for a light offense like that calling for a fine of ₱100 is merely 15 days. Respondent, in imposing a subsidiary imprisonment term of one month and ten days on complainant was therefore grossly negligent, which resulted in the unnecessary deprivation of complainant's liberty for a period of 25 days.

Respondent was negligent in the preparation of the commitment order when he filled the blanks in the official form corresponding to the principal penalty of imprisonment instead of the blanks for the fine and imprisonment. Thus, instead of complainant serving subsidiary imprisonment for one month and ten days as intended by respondent, what now appears in the commitment order is for complainant to serve a prison term of one month and one day and to pay a fine of ₱100.00, and in case of insolvency to suffer subsidiary imprisonment for a period of one month and ten days. Had respondent been more careful and diligent in the performance of his functions, this error or alteration could not have occurred.

Respondent neglected to fill out the form for the receipt of the prisoner to be signed by the provincial warden as part of the official commitment order form. He was duty bound to prepare the receipt so as to insure its being made out in the same terms as the commitment order and thus constitute the official proof that the prisoner was placed in custody in accordance with such order.

Finally, respondent failed to obtain the prompt return of the receipt of prisoner as filled out and signed by the provincial warden. It was his bounden duty to have the receipt returned to him at the earliest possible opportunity to serve as evidence that the commitment is in order. Had respondent been more careful in this regard, he might have noticed and corrected the error in his commitment order and thus saved complainant from being unnecessarily deprived of his liberty.

In view of the foregoing, I find respondent guilty of gross negligence in the performance of his duties. Considering that this is his first administrative case and there was no bad faith in his actuations, he may be accorded some leniency.

WHEREFORE, the respondent is hereby suspended from office for three (3) months without pay; admonished, and warned that repetition of the same or similar offense will be dealt with more severely.

Done in the City of Manila, this 29th day of December, in the year of our Lord nineteen hundred and sixty-five.

(Sgd.) DIOSDADO MACAPAGAL

By the President:

(Sgd.) RAMON A. DIAZ

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1965). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 184
EXONERATING ACTING DIRECTOR JOSE G. LUKBAN OF THE NATIONAL BUREAU
OF INVESTIGATION (NBI).

This is an administrative case filed by Mr. Franklin D. Libunao, NBI Agent No. 32, against Acting NBI Director Jose G. Lukban for alleged oppression, acts unbecoming a public official and rank favoritism and discrimination in promotions. The case was investigated by an Assistant Solicitor General.

During the pendency of the case and after the submission of his evidence in support of the charges, complainant in his letter to the investigating official dated April 30, 1965, voluntarily withdrew his complaint against respondent, alleging that “after a careful and mature deliberation, I [he] realized that my [his] complaint against Acting Director JOSE G. LUKBAN of the NBI was a big mistake and the concomitant of an unpleasant misunderstanding.”

After a careful review of the record, I agree with the recommendation of the Secretary of Justice and investigator that the complaint against respondent should be dropped, not on the basis of his withdrawal thereof, but for lack of merit.

Wherefore, respondent is hereby exonerated from the charges.

Done in the City of Manila, this 29th day of December, in the year of Our Lord, nineteen hundred and sixty-five.

(Sgd.) DIOSDADO MACAPAGAL

By the President:
(Sgd.) RAMON A. DIAZ
Executive Secretary

Source: **Malacañang Records Office**

Note: This issuance is followed by Administrative Order No. 186, s. 1965.

Office of the President of the Philippines. (1965). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

ADMINISTRATIVE ORDER NO. 185

(Tengco and Salazar – Please see Administrative Order No. 26, Series of 1966)

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1965). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 186
IMPOSING A FINE EQUIVALENT TO ONE MONTH'S SALARY ON
DR. PETRONILO G. MONSOD, HEALTH OFFICER OF QUEZON CITY.

This is an administrative case against Dr. Petronilo G. Monsod, Quezon City Health Officer, for allowing, without the consent of the Secretary of Health, the enrollment and attendance at the College of Nursing, University of the Philippines, of Mrs. Josefina Jael-Santos, former Puericulture Center Nurse in the Office of the Quezon City Health Officer.

Respondent waived his right to a formal investigation and hearing and submitted his case for consideration and decision on the strength of his explanation.

The records show that in June 1953 respondent recommended for approval the application of one Mrs. Josefina Jael-Santos, then Puericulture Center Nurse in the Office of the Quezon City Health Officer, for advance training at the U.P. College of Nursing, said training to be undertaken during regular office hours. The then Director of Health favorably indorsed the application to the Secretary of Health, who denied the same under the Cabinet policy of January 3, 1950, when a similar request was denied on the ground that it would establish a dangerous precedent and would open the way for other applications which would adversely affect the regular services of the government. Notwithstanding this disapproval of the Department Head, respondent authorized Mrs. Santos to pursue advance training allowing only one-half of her regular working hours to be devoted to public service.

From the established facts, it is indisputable that the respondent is guilty of disobedience to superior orders, which is mitigated by the fact that this appears to be the first administrative case against him.

Wherefore, respondent is hereby fined in an amount equivalent to one (1) month's salary, with a warning that repetition of the same or similar offense will be dealt with more severely. He is further adjudged subsidiarily liable for whatever amount Mrs. Josefina Jael-Santos may be required to refund corresponding to the salaries she received during the period of her training.

Dore in the City of Manila, this 29th day of December, in the year of Our Lord, nineteen hundred and sixty-five.

(Sgd.) DIOSDADO MACAPAGAL

By the President:
(Sgd.) RAMON A. DIAZ
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1965). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 187
IMPOSING A FINE ON MR. LEONCIO A. ROSALES, CLERK OF COURT, COURT
OF FIRST INSTANCE OF BATANGAS, LIPA BRANCH.

This is an administrative case against Mr. Leoncio A. Rosales, Clerk of Court, Court of First Instance of Batangas, Lipa Branch, for negligence in the performance of his duties. It arose from a letter of Martin Escaris, a prisoner in the national penitentiary, to Mrs. Gabriela Walstrom, asking for assistance in the termination of his allegedly long pending case in the Supreme Court.

Inquiries conducted by the Department of Justice disclosed that Escaris was convicted of murder by the Court of First Instance of Batangas and sentenced to suffer life imprisonment and to pay an indemnity of ₱3,000 in Criminal Case No. 290. The case was appealed to the Supreme Court (G. R. No. L-5562) which affirmed the decision of the trial court on April 29, 1954. Final judgment was entered on May 26, 1954, and the records were remanded to the lower court on June 26, 1954, and received therein on June 29, 1954. On April 8, 1958, the Director of Prisons certified that Escaris was a detention prisoner in the national penitentiary “pending appeal of his case to the Supreme Court.”

Upon discovering that no action had been taken on the case by the Clerk of Court for about four years till after an inquiry was made, the Secretary of Justice instituted the present administrative case against respondent and other court personnel. The Judge of First Instance of Batangas, Lipa Branch, conducted the investigation.

Respondent Clerk of Court explained that upon receiving the records of the case, he placed them on the table of Alejandro Macabidang, criminal docket clerk, instructing him to take all further necessary action. Due to pressure of work and as he had confidence in Macabidang who had been doing that job for years, he did not make any further inquiry on the matter.

Macabidang denied respondent’s version, claiming that he saw the records for the first time only when inquiry was made by the Department of Justice. Pedro Reyes, janitor, stated that on June 29, 1954, he put the records in the cabinet for terminated cases, having been told to do so by Mr. Andres Alday, now deceased, then an employee in respondent’s office, upon receiving the records from Alday. At that time the decision of the Supreme Court had not been docketed, nor was the necessary commitment order sent to the Director of Prisons. These were not accomplished until May 10, 1958, after the aforesaid inquiry from the Department of Justice. As a consequence, the decision of the Supreme Court in the above-entitled case, affirming the judgment of the trial court, was not executed until almost four years from the date of its entry. Meanwhile the accused had been confined in Muntinlupa as detention prisoner.

In the light of the above, I agree with the investigating judge and the Secretary of Justice that respondent was negligent in the performance of his duties. The Judge recommends a reprimand for respondent, but the Secretary of Justice feels that respondent should be penalized with a fine equivalent to fifteen (15) days’ pay. I believe that both penalties should be imposed, together with a stern warning, if only to impress upon public officials the need for conscientious performance of their duties.

Wherefore, Mr. Leoncio A. Rosales is hereby fined in an amount equivalent to his salary for fifteen (15) days. He is also reprimanded and warned that commission of similar irregularity in the future will be dealt with more drastically.

Done in the City of Manila, this 29th day of December, in the year of Our Lord, nineteen hundred and sixty-five.

(Sgd.) DIOSDADO MACAPAGAL

By the President:

(Sgd.) RAMON A. DIAZ

Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1965). [*Administrative Order Nos.: 1 - 191*]. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 188
MODIFYING ADMINISTRATIVE ORDER NO. 63 CONCERNING MR. LORENZO M. QUITCO,
MUNICIPAL JUDGE OF VILLADOLID, NEGROS OCCIDENTAL.

By virtue of Administrative Order No. 63 dated July 1, 1963, Mr. Lorenzo M. Quitco, then Justice of the Peace of Villadolid, Negros Occidental, was considered resigned from his position for undue delay in the trial and promulgation of his decision in Criminal Case No. 1155 and making untrue statements in his monthly certificates of service that he had no case pending decision for 90 days to enable him to receive his salary for certain months of the year 1959.

Respondent has sought reconsideration which has been favorably recommended by the Department of Justice. After a review of the case, this Office is satisfied that the penalty of separation imposed on respondent is rather too severe. Considering that he has been out of office for almost two and a half years, he may now be reinstated to his former position.

Wherefore, Administrative Order No. 63 dated July 1, 1963, is hereby modified by reinstating immediately Mr. Lorenzo M. Quitco as Municipal Judge of Villadolid, Negros Occidental, and considering the period during which he was out of office as penalty equivalent to suspension without pay.

Done in the City of Manila, this 29th day of December, in the year of Our Lord, nineteen hundred and sixty-five.

(Sgd.) DIOSDADO MACAPAGAL

By the President:
(Sgd.) RAMON A. DIAZ
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1965). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

ADMINISTRATIVE ORDER NO. 189

(Cecilio Ledesma – Please see Administrative Order No. 53, Series of 1967)

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1965). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 190
IMPOSING A FINE ON REGISTER OF DEEDS TIMOTEO D. AGUSTIN OF TARLAC.

This is an administrative case against Mr. Timoteo D. Agustin, Register of Deeds of Tarlac, for alleged falsification of public documents by enlarging the areas of the lots covered by transfer certificates of title Nos. 42954, 43734 and 43682 as compared to the areas mentioned in the previous titles, namely, transfer certificates of title Nos. 29435, 43106 and 35906, which they respectively replaced.

The case was investigated by a committee created by the Commissioner of Land Registration, which found respondent not guilty of the charge and recommended his exoneration.

A careful review of the records fails to yield any evidence implicating respondent in the acts of falsification. Neither is there any evidence that he had knowledge of or consented to such alterations. On the contrary, clerk-typist Lucio Balmores, despite warnings against risk of self-incrimination, owned the entire blame and declared that respondent never knew of such alterations nor benefited therefrom.

However, as held by the Commissioner of Land Registration and the Secretary of Justice, respondent's acquiescence in the change in the designation of the areas of the lots involved, from "square meters" in words and figures in the previous titles to "hectares" in figures only in the succeeding titles, amounted to an unauthorized alteration which facilitated materially the commission of the acts of falsification by a subordinate employee. He should have foreseen that expressing the areas in figures alone could easily lead to their alteration, as it subsequently occurred. The regular form of the areas' being stated in words and figures was precisely intended to prevent possible tampering. Clearly, respondent was remiss in his duties.

WHEREFORE, and upon the recommendation of the Secretary of Justice, Mr. Timoteo D. Agustin is hereby fined in an amount equivalent to one (1) month's salary, with a warning that commission of similar irregularity will be dealt with more severely.

Done in the City of Manila, this 29th day of December, in the year of Our Lord, nineteen hundred and sixty-five.

(Sgd.) DIOSDADO MACAPAGAL

By the President:
(Sgd.) RAMON A. DIAZ
Executive Secretary

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1965). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 191
REPRIMANDING AND WARNING COMMISSIONER RICARDO L. LATRONDO
OF THE COURT OF AGRARIAN RELATIONS.

This is an administrative case against Commissioner Ricardo L. Latrondo of the Court of Agrarian Relations initiated by the Executive Judge thereof for (1) absences from office without official leave; (2) absence at the hearing of CAR Case No. 46-Davao City on August 21, 1957; (3) holding office only a few hours a day; (4) misrepresentation that he had a tooth extraction to justify his absence; and (5) abandonment of official station in Manila without official leave.

The charges were investigated by a committee created by the Executive Judge of the Court of Agrarian Relations which conducted the hearings *ex parte* because of respondent's refusal to appear before the committee. The investigators found the written explanation of the respondent as to the first, third and fifth specifications satisfactory and consequently dismissed said charges.

As to the second charge, respondent's explanation discloses that five days before the date of the hearing of CAR No. 43, he knew of said hearing. He merely argues that the hearing was set by his clerk and not by him. Be that as it may, it is indisputable that respondent, by his own admission, knew of the scheduled hearing and still failed to attend or, at least, postpone the same.

As to the fourth charge, respondent in his explanation admits having presented a dental certificate falsely stating that he had a tooth extraction to justify an absence of three days. The fact that he was not the one who signed the certificate does not make him any less culpable because, knowing the contents to be false, he nevertheless presented the same to support his application for leave.

Respondent is therefore guilty of unjustifiable absence and misrepresentation.

Wherefore, respondent is hereby reprimanded and warned that repetition of the same or similar offense will be dealt with more severely.

Done in the City of Manila, this 29th day of December, in the year of Our Lord, nineteen hundred and sixty-five.

(Sgd.) DIOSDADO MACAPAGAL

By the President:
(Sgd.) RAMON A. DIAZ
Executive Secretary

Source: Malacañang Records Office

Office of the President of the Philippines. (1965). *[Administrative Order Nos.: 1 - 191]*. Manila: Malacañang Records Office.



President Diosdado Macapagal delivers his Third State of the Nation Address at the House Session Hall in the Legislative Building, Manila on January 27, 1964.

